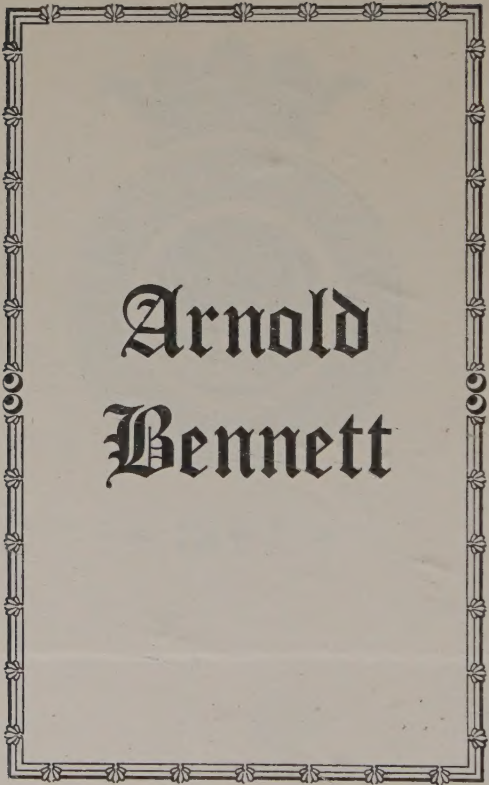




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ERRATUM.

*In the FOREIGN HISTORY, page 237, line 10, for 1st of October read  
30th of October.*



# ANNUAL REGISTER,

FOR THE YEAR

1864.

## PART I.

### ENGLISH HISTORY.

#### CHAPTER I.

Introductory Remarks on the political condition of the country during the year 1864—Absence of marked legislative or constitutional changes—General quietude and tranquillity of the people—Prosperous state of trade and of the public finances—Mitigation of the distress in the Cotton Manufacturing Districts—Lord Palmerston's Administration still commands the support of the public—Continued decline of party spirit—Parliament convoked on the 4th of February—The Royal Speech delivered by Commissioners—Prevalence of foreign over domestic topics in the Speech—Debates in both Houses on the Address—They turn chiefly on our external relations—The Earl of Derby and Mr. Disraeli, as leaders of Opposition in the two Houses, impugn the foreign policy of the Government as one of injudicious interference with the affairs of foreign countries, exemplifying the cases of Japan, China, Mexico, and Denmark—The course adopted by the Queen's Government in regard to the pending dispute between Germany and Denmark is much remarked upon—Earl Russell in the House of Lords, and Lord Palmerston in the Commons, vindicate the conduct of the Government in this respect, and enter into copious explanations of the recent events in the Duchies of Schleswig and Holstein—No Amendment being moved the Address is agreed to—The condition of Ireland, and the extensive emigration taking place from that country to America, is brought under discussion—Various opinions as to the causes of Irish difficulties and their remedies—Resolutions on the subject of the emigration from Ireland proposed by Mr. Pope Hennessy are debated at some length in the House of Commons, but are not adopted.

THE political history of England during the year 1864 presents few conspicuous features, and will afford but scanty materials for the annalist. This circumstance ought, however, to be regarded by those who are interested in the public welfare rather with a feeling of satisfaction than the reverse. For the events which make national history attractive and stimulating to the reader are not generally those which conduce to the stability of the State or the diffusion of happiness among the people. Periods of change and excitement, of struggle and contention, of signal

triumphs or violent reverses, while they fill the page of the historian with interesting pictures, are seldom unattended, to some portion of the community at least, with suffering and disaster. As it is proved by experience to be a true maxim, "*in corruptissimâ republicâ plurimæ leges*," so it may be affirmed that it is generally the least prosperous stage of a nation's existence which is marked by the most startling events, and is most prolific of interesting history. On the other hand, external peace, domestic tranquillity, prosperous trade, abundant revenue, inactive legislation, though they may be regarded by some as forming a vapid and inglorious stage in the history of a people, do at the same time exhibit the successful attainment of those objects for which governments exist, and which are the direct aim of political institutions. Such are, in fact, the features which characterize the domestic history of the year 1864. The political interest of the period is mainly centred in the proceedings of the Legislature, and these, with the exception of the great Parliamentary struggle which determined the continuance of the Administration in power, were productive of no material legislative change, and scarcely any discussions of extraordinary interest. In the complicated concerns of a vast empire, indeed, there is a perennial need for legislative action of some kind to keep the great machine of government in working condition, but the additions to the statute book which this year supplied, although exacting no inconsiderable time and labour from Parliament, were not such as made any change in the distribution of power, or materially affected the rights and privileges of any portion of the community. It was a sign of the little interest created by domestic politics that the affairs of foreign nations were those which mainly engrossed the minds of English politicians. It is true that the struggle in which Denmark and Germany were engaged was one which affected the relations, and, in the estimation of some, involved the honour of this country. It is true, also, that the desolating civil war in America, now in the fourth year of its existence, was a contest which compromised the interests, and, on more than one occasion, seemed to menace the tranquillity, of England. England, however, though feeling a deep interest in both conflicts, succeeded through the caution and forbearance of her Government, acting in accordance with the general current of public opinion, in keeping aloof from military interference. Only in one part of her own vast outlying possessions, in consequence of an insurrection of the natives in New Zealand, were her forces called upon to act against an enemy. At home, the course of events flowed in an even and untroubled channel. Trade was good; the industry of the country, both in agriculture and manufactures, generally well employed. The cotton districts, indeed, presented some exception to the general prosperity, but even there the difficulties connected with the supply of the raw material were in process of diminution. The imports from

various quarters of the world had increased, and the redundant labour of the operatives was becoming absorbed in other channels, so that the great anxiety felt in preceding years on account of the distress in Lancashire was much diminished. The revenue of the country showed extraordinary elasticity, and the proved success of the financial policy recently pursued by the Government, whereby a reduction of taxes had coincided with an increased return of income, gave encouragement to a further progress in the same direction. These and the other favourable features in the condition of the nation had added strength to the Administration of Lord Palmerston, which, although resting on the support of a very narrow majority in the House of Commons, appeared to enjoy the confidence of the public in a greater degree than any Cabinet formed of other materials would have been likely to command. The spirit of party, indeed, appeared to have lost nearly all its acrimony, and even a large share of its vitality, both in Parliament and in the country at large; it seemed as if few questions remained to divide in any material degree the opinions of the different sections of politicians. Some of the prominent men on either side of the House of Commons did not hesitate openly to avow their indifference to party bonds and watchwords. What were the subjects which chiefly engaged the attention of Parliament, and in what temper they were regarded, both by the members of the Legislature and by the public whose opinions they reflected, will appear from the ensuing chapters.

The two Houses were convoked this year at the date which has now become almost an established usage, the first week in February, the fourth of that month being the day appointed. Her Majesty, being, to the great regret of her subjects, still unequal to the effort of appearing on public occasions, the Royal Speech was delivered from the throne by the Lord Chancellor, and was in the following terms:—

“MY LORDS AND GENTLEMEN,—

“We are commanded to assure you that Her Majesty has great satisfaction in recurring again to the advice and assistance of her Parliament.

“Her Majesty is confident that you will share her feeling of gratitude to Almighty God on account of the Princess of Wales having given birth to a son, an event which has called forth from her faithful people renewed demonstrations of devoted loyalty and attachment to her person and family.

“The state of affairs on the continent of Europe has been the cause of great anxiety to Her Majesty. The death of the late King of Denmark brought into immediate application the stipulations of the Treaty of May, 1852, concluded by Her Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of Russia, the King of Sweden, and the King of Denmark, and afterwards acceded to by the King of

Hanover, the King of Saxony, the King of Würtemberg, the King of the Belgians, the King of the Netherlands, the Queen of Spain, the King of Portugal, and the King of Sardinia.

"That Treaty declared that it is conducive to the preservation of the balance of power and of the peace of Europe that the integrity of the Danish Monarchy should be maintained, and that the several territories which have hitherto been under the sway of the King of Denmark should continue so to remain; and for this purpose it was agreed that in the event of the death of the late King and of his uncle, Prince Frederick, without issue, his present Majesty, King Christian IX., should be acknowledged as succeeding to all the dominions then united under the sceptre of His Majesty the King of Denmark.

"Her Majesty, actuated by the same desire to preserve the peace of Europe, which was one of the declared objects of all the Powers who were parties to that Treaty, has been unremitting in her endeavours to bring about a peaceful settlement of the differences which on this matter have arisen between Germany and Denmark, and to ward off the dangers which might follow from a beginning of warfare in the north of Europe, and Her Majesty will continue her efforts in the interest of peace.

"The barbarous murders and cruel assaults committed in Japan upon subjects of Her Majesty rendered it necessary that demands should be made upon the Japanese Government, and upon the Daimio, by whose retainers some of those outrages were committed.

"The Government of the Tycoon complied with the demand made upon them by Her Majesty's Government, and full satisfaction having been made, the friendly relations between the two Governments have continued unbroken. But the Daimio Prince of Satsuma refused to comply with the just and moderate demands which were made upon him.

"His refusal rendered measures of coercion necessary, and Her Majesty regrets, that while those measures have brought this Daimio to an agreement for compliance, they led incidentally to the destruction of a considerable portion of the town of Kagosima.

"Papers on this subject will be laid before you.

"The insurrection which broke out last year among some portion of the native inhabitants of New Zealand still, unfortunately, continues, but there is reason to hope that it will before long be put down.

"Her Majesty commands us to inform you that she has concluded a Treaty with the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of Russia, by which Her Majesty consents to give up the protectorate of the Ionian Islands, and also agrees to the annexation of those islands to the kingdom of Greece. This Treaty shall be laid before you. Her Majesty is also negotiating a Treaty with the King of the



Hellenes for regulating the arrangements connected with the union of the Ionian Islands with the kingdom of Greece.

“GENTLEMEN OF THE HOUSE OF COMMONS,—

“Her Majesty has directed the Estimates for the ensuing year to be laid before you. They have been prepared with every attention to economy, and with a due regard to the efficiency of the public service.

“MY LORDS AND GENTLEMEN,—

“Her Majesty commands us to inform you that the condition of the country is, on the whole satisfactory. The revenue has fully realized its expected amount; the commerce of the United Kingdom is increasing; and, while the distress in the manufacturing districts has been in some degree lessened, there is reason to look forward to an increased supply of cotton from various countries which have hitherto but scantily furnished our manufacturers with this material for their industry.

“Her Majesty has directed that a Commission shall be issued for the purpose of revising the various forms of subscription and declaration required to be made by the clergy of the Established Church. A copy of that Commission will be laid before you.

“Various measures of public usefulness will be submitted for your consideration.

“Her Majesty commits, with confidence, the great interests of the country to your wisdom and care; and she fervently prays that the blessing of Almighty God may attend your deliberations and prosper your councils for the advancement of the welfare and happiness of her loyal and faithful people.”

The Address in answer to the Royal Speech was moved the same evening in the House of Lords by the Marquis of Sligo, and was briefly seconded by Lord Abercrombie, after which, the Earl of Derby, as leader of the Opposition, entered into a lengthened review of the condition of the country, and the policy pursued, both at home and towards Foreign Powers, by Her Majesty's Government. Before entering on these topics, however, he adverted, in very felicitous terms, to the event which formed the first subject in the Royal Speech, the birth of an heir to the Prince of Wales. “At this time last year,” he said, “we offered our humble congratulations to Her Majesty, on the auspicious marriage of the heir to the Throne with a Princess every way qualified to share the high destiny reserved for him, and whose personal beauty and attractions, and the natural and unaffected charm of whose manner, secured for her from the first moment of her entrance into this kingdom, the admiration and, I may say, the affection of her adopted country. On this occasion we have to congratulate Her Majesty and the nation on the happy issue of that marriage, in the birth of an heir to the Throne in the second generation; and although, my lords, happily for this country, monarchical institu-

tions are so firmly established in the hearts and affections of the people, and their attachment to them has been so strengthened by the private virtues and personal qualities of the illustrious lady who occupies the throne, that it is not with us, as it might be with other countries, a subject of additional congratulation that we thereby obtain greater stability for the Throne or greater security for the dynasty, yet we may be permitted to rejoice at the prospect we have before us of a direct line of succession from the present illustrious wearer of the Crown and her immediate descendants—from a Sovereign who has done so much to cast a lustre upon that Crown, and also to strengthen the hold which monarchical institutions have upon this nation. My lords, it appears to me, that as we advance in life we look with a warmer and a kindlier sympathy upon the opening prospects of those who are entering upon that career, towards the close of which many of us are hurrying. But I am sure there is not one of your lordships who does not view with the deepest interest the happy career before that youthful pair, upon the birth of whose heir we are now congratulating the Sovereign. I am sure there is not one of your lordships who does not offer up a fervent prayer to the Throne of Grace, that that bright prospect may remain unclouded, and that, long after the youngest of your lordships has passed away from this scene, the throne of these realms may be occupied by the descendants of the illustrious Prince and of his new-born heir—

‘*Et nati natorum, et qui nascentur ab illis.*’”

Lord Derby proceeded to comment upon the general condition of the country, which, notwithstanding the interruption caused by the civil war in America to the operations in the cotton districts, he considered to be satisfactory. He mentioned, as a remarkable fact within his own knowledge, that there were at that time no less than 110 new cotton mills, either recently erected or in course of erection, which would be opened on the revival of trade, and many of these were on a scale of unprecedented magnitude, one of them being built to accommodate no less than 500 looms. He hoped that the heaviest pressure of suffering was at an end, and stated the grounds on which he based his hopes of improvement. Passing to the other topics of Her Majesty's Speech, Lord Derby referred to the Commission to be appointed to inquire into the subject of subscription by the clergy of the Church of England. He feared that the result of such an inquiry would not be proportionate to the magnitude of the machinery employed in it. He then called the attention of the House to the portion of the Speech relating to foreign affairs. Her Majesty's Government had, for two or three years past, mainly rested their claim to public confidence on their foreign policy. They had abandoned the question of Parliamentary Reform the moment it had served the purpose of placing them in office. The fulfilment of the promises they had made was defeated by Lord Russell, and when he was trans-

ferred to the more serene atmosphere of the House of Lords, he pronounced the funeral oration of Reform. He had told them, in a speech which he had delivered during the recess, in Scotland, to "rest and be thankful;" and from that time their foreign policy had been the groundwork of the claim of Her Majesty's Government to public confidence. "I think," proceeded Lord Derby, "that at the commencement, the foreign policy of the noble earl opposite, might be summed up in the affirmation of the principle of non-intervention in the internal affairs of other countries, the extension of Liberal principles by the exercise of our moral interference, and, above all, the maintenance of uninterrupted and cordial relations with the Emperor of the French. We were told more than once, that the present Government was the only one to maintain a good understanding with the Emperor of the French, or, at least, that its predecessor could not possibly have done so, and that if the country desired to preserve cordial relations between itself and France, Her Majesty's present advisers, and especially the noble earl opposite, were the only persons qualified to secure that most desirable object. Now, my lords, as to non-intervention in the internal affairs of other countries, when I look around me I fail to see what country there is, in the internal affairs of which the noble earl has not interfered. '*Nihil intactum reliquit, nihil tetigit quod*,' I cannot say, '*non ornavit*,' but '*non conturbavit*.' The foreign policy of the noble earl, as far as the principle of non-intervention is concerned, may be summed up in two homely but expressive words—'meddle and muddle.' During the whole course of his diplomatic correspondence, wherever he has interfered—and he has interfered every where—he has been lecturing, scolding, blustering, and retreating. Seriously—for though there may be something ludicrous about it, the matter is of too great importance to be treated only in a light and jocular manner—I cannot but feel as an Englishman that I am lowered and humiliated in my own estimation and in that of other nations, by the result of the noble earl's administration of foreign affairs. Thanks to the noble earl and the present Government, we have at this moment not one single friend in Europe, and more than that, this country, the chief fault of which was that it went too direct and straightforward at what it aimed, which never gave a promise without the intention of performing, which never threatened without a full determination of striking, which never made a demand without being prepared to enforce it,—this country is now in such a position, that its menaces are disregarded, its magniloquent language is ridiculed, and its remonstrances are treated with contemptuous indifference, by the small as well as by the great Powers of the Continent. With regard to the policy of keeping up a good understanding with France, there is hardly a single question on which Her Majesty's Ministers have not thwarted the policy of the Emperor." From the Mexican expedition England had withdrawn, and it had not supported the Emperor's



policy in relation to the Confederate States of America. It had also declined the Emperor's proposition of a Congress. Lord Derby admitted the difficulties that would have been encountered, but if any country was less justified than another in meeting the suggestion with a blunt refusal, it was England. This country had no interests that could have been affected by the Congress. The proper course would have been, to recognize the benevolent intentions of the Emperor, and, stating that England had no interest that could prevent her taking part in the Congress, to have expressed a readiness to co-operate in such a laudable design, provided we received assurances that other States would submit to such an arbitration. Then, if the plan failed, the failure would have caused no ill-feeling between England and France. It must have been known, that the Danish and German question was pending, and if the proposition of holding a Congress could have postponed but for a short time the extreme steps that had been taken, there would be now a better prospect of restoring the peace it was too late to preserve. The noble lord then proceeded to discuss that grave question, which he described as the all-engrossing topic upon that occasion, the pending dispute between Germany and Denmark, and found some fault with the manner in which the Treaty of 1852 was referred to in the Speech from the Throne. "I cannot help thinking, in so solemn a document as the Speech from the Throne, which recites the object of the treaty, and also with so much minuteness the names of the parties to it, that it would have been as well if the very words of the treaty had been given, more especially because the omission of the words afforded the opportunity of inserting in one of the paragraphs, such language as does not often appear, even in a Speech from the Throne. The Queen's Speech states :—' That treaty declares that it is conducive to the preservation of the balance of power, and of the peace of Europe, that the integrity of the Danish monarchy should be maintained, and that the several territories which have hitherto been under the sway of the King of Denmark should continue so to remain.' That is the substance of the treaty certainly, but it would have been better to quote the precise words. The treaty goes on to declare the arrangements, according to which it was thought, that the succession to the whole of the dominions, then united under the crown of Denmark in the male line to the exclusion of the female, would be the best means of securing the integrity of that monarchy. The object was, to secure the integrity of the Danish monarchy, and the making a change in the course of succession was supposed to be the best means of carrying out that intention. The Queen's Speech goes on to say, that, ' Her Majesty, actuated by the same desire to preserve the peace of Europe, which was one of the declared objects of all the Powers who were parties to that treaty, has been unremitting in her endeavours to bring about a peaceful settlement of the differences, which, on this matter, have arisen between Germany

and Denmark.' Now, the difficulties which have arisen between Germany and Denmark have nothing to do with this treaty. They have nothing to do with the succession, but with a cause totally and entirely different; and it was not until the death of the late King of Denmark, that the question of the succession was introduced, to complicate the original grounds of the discussion. It is very important to draw a distinction between these two questions, which are entirely different. The question so long at issue was the fulfilment or non-fulfilment by Denmark, of engagements entered into in 1851, to which the Treaty of 1852 made no reference. I do not deny, that, so far as Austria and Prussia are concerned, those engagements were inducements to lead them to concur in the treaty; but, at the same time, the treaty is not conditional on those arrangements. Her Majesty's Speech is, therefore, made to state on this point that which is not the fact. Now, this is a matter of very considerable importance, because the case is considerably complicated by the different positions which, since the death of the late King of Denmark, have been taken up by the greater Powers and the smaller Powers in Germany. At the present moment there are two interventions, if I may call them so, in Denmark, and these two interventions are being carried on by different parties, and for evidently different objects. The engagements had reference to rights claimed on behalf of the duchies of Holstein and Schleswig, and the question remains, how far has Denmark contravened her engagements as to the rights, liberties, and privileges she was to give to those duchies, and under no circumstances to incorporate Schleswig with the Danish monarchy, or to take any step tending to that result? These were the whole of the questions which, up to the present year, were in dispute between the powers of Germany and Denmark. Since the death of the late King of Denmark a Federal occupation of Holstein has taken place, and that occupation is admitted to be legal for the purpose of securing the fulfilment of the engagements of 1851 in reference to the rights of the duchies; but under the cover of that occupation or execution, claims, with respect to which I will say nothing, to the throne of the duchies have been put forward—claims, which had been actually rejected and repudiated, and never until this moment brought forward since the Treaty of 1852. The parties now proceeding against Denmark do not rest their claim on any opposition to the treaty. On the contrary, they proclaim that they are proceeding in the spirit of the treaty. They have been outvoted by the Diet, and they proceeded to take the matter into their own hands. Professing an open and undisguised respect for the treaty, they are acting entirely without the consent of the Diet. We have the King of Prussia taking up arms in strenuous defence of constitutional rights, and we have the Emperor of Austria joining in a crusade for the protection of oppressed nationalities. And these two Powers, recognizing a treaty which

the minor Powers wish to set aside, are undertaking, as the mandatories of these minor Powers, to attack and carry on war against Denmark for considerations and objects totally different from those contemplated by the Diet. This is the state of the question at the present moment; but I cannot avoid thinking that with a little good judgment, a little good management, and a little good temper, it ought to have been settled without a frightful appeal to arms. Surely it could have been no difficult fact to ascertain—if the parties were willing to listen to reason—as the case was one in which the intervention of a friendly power might be applied—whether a certain engagement entered into by Denmark had or had not been fulfilled, or whether one of the parties was not demanding more than it was entitled to. I do not question the right of Prussia to ask for a fulfilment of those engagements to the utmost; I do not question the duty of Denmark to fulfil them as far as actually possible—to fulfil them as far as that is not rendered impossible by one of the parties opposed to Denmark; but I say that if when this question arose, this country had occupied the position she ought, she would have been in the position to play the part of mediator, and that the circumstances might have been adjusted by a little good management on the part of the Foreign-office of England. But how could you have expected that Germany would yield to your interference in this case? In this quarrel there is a people who believe they are struggling for their liberty and independence. That fact will gain them great sympathy in Europe, more especially because they are carrying on the struggle with a force disproportionate to the necessities of the case; but how could you have expected that your interference would be effectual when you had alienated France, offended Russia, and more or less quarrelled with every Power in Europe?—when you had not a Power you call your friend, and, moreover, when the danger which threatened you in this complication was a fierce and destructive war between England and the united Powers of Germany? What could be more threatening to the peace of Europe than England being committed to a sanguinary quarrel with the whole of Germany in a case in which, whether rightly or wrongly, the feelings of the people of Germany are enlisted on one side? For my part, I certainly should shrink from such a war as one of the greatest disasters that could happen to this country.”

Lord Derby went on to express his earnest hope that Lord Russell would be able to give them an assurance that the country was not committed by any act of the Government either to a conflict with Germany, or to the abandonment of an ally who had trusted to the protection of England. He pointed out the many dangers that Germany incurred by war. Any contest between that country and England would give France the opportunity of acting on any ambitious designs in regard to Germany if she entertained such. Proceeding then to the subject of the civil war raging in America, Lord Derby again im-



puted to Earl Russell that he had only succeeded by his interference in alienating both of the contending parties. He had offended the Confederates, and from the Federals he had been met by a demand that out-blustered Lord Russell himself. The Federal Government held this country responsible for all the damage the commerce of the North had suffered from the "Alabama." He hoped the despatch had been answered in a manner that would put an end to all such demands. In conclusion, he recapitulated the existing differences between Her Majesty's Government and most of the European Powers, and denounced the policy that had produced such embarrassments as a source of national danger.

Earl Russell answered Lord Derby's speech, following that noble lord through all the topics to which he had adverted. He avowed his own conviction that in almost all cases, the exceptions being very rare, intervention in the affairs of foreign countries was not only unjustifiable in itself, but almost always failed in its effect, aggravating the evils it was intended to remedy. With respect to the charge of not acting in concert with France in our foreign policy, he admitted that he could not, as a British Minister, adopt that principle of implicit adhesion to the policy of the French Empire which Mr. Disraeli had declared to be the proper rule of action for this country. He was sure that the Emperor himself must see, as a just and intelligent man, that there were many courses which might be advisable for France to take, in which it would not be wise or practicable for England to follow her. In regard to the Mexican expedition, it had been stated over and over again that it was not our intention to take any part in altering the Government of that community. When we found that such was not the policy of France, but that she declared she could not treat with the present Government of Mexico, we were obliged, in accordance with our originally-declared intention, to separate ourselves from the French Government. The Spanish Minister held the same language. Then it was said that we had declined to join with our ally in offering our good offices to the contending parties in the United States. It was obvious, however, that if such a proposal had been made by the two Governments and rejected, the recognition of the South would soon have followed. Our Government felt, that any such interference, instead of doing good, would only give offence; and that there was a much better chance of reconciliation between the North and the South, if these two parties were left to settle their differences by themselves. Next as to Poland. It was not correct, as Lord Derby had stated, that our Government had acted entirely by itself, and had differed from Austria on the subject. On the contrary, there had been frequent communication with the Austrian Government. We had ascertained that, taking into account the state of the finances of Austria, and the 4,000,000 of her Polish subjects, that Power would have been most unwilling to push their differences with Russia to the point of war. In

regard to the interests of England, if she had embarked in a war with Russia, she would have had not only to recognize Poland, and to fight for Poland, but to make a Poland. She must have established not only the ancient kingdom, but also what are called the western provinces of Russia, which were formerly a part of Poland. To embark in so vast an undertaking, involving the dismemberment of the empire of Russia, was a responsibility too great for our Government to assume, and a vast majority of the people of this country would have been opposed to such a war. At the same time he denied that we had aggravated the evils of Poland by holding out false hopes of support. He had himself explicitly declared in that house that he did not intend to go to war for Poland. He believed that the inclination of the French people also was decidedly adverse to such a war. With respect to the charge of our having rejected the proposition of the French Emperor for a Congress, it was not the fact that our answer had been curt or rude in its terms; but it was true that, giving credit to the Emperor for his good intentions, we had declined his proposal because we could not perceive any solution of the questions which would have been brought before such a Congress except that of war. Russia would have refused to be bound by any decision of the Congress with regard to Poland, and Austria would have done the same with respect to Venetia. What, then, would have been the result? Either war must have been undertaken to enforce the decrees of the Congress, or those decrees would have been null and void. Entering then upon the controversy between Denmark and Germany, Earl Russell gave a brief account of the circumstances out of which the present difficulties had arisen—the conferences between the Great Powers of Europe which had led to the making of the Treaty of London in 1852, and the adhesion to that treaty of several Powers, some of which had since attempted to evade its obligations. He described also the engagements entered into by the King of Denmark at that time with reference to the duchies, and the disputes which had arisen as to those engagements; the order made by the Diet of Frankfort on the 1st of October for Federal execution, the excess of power which the Diet had so assumed and the remonstrances which in consequence thereof Her Majesty's Government had addressed to the Diet. Then followed the death of the King of Denmark, which had given occasion to increased agitation, the question of the right of succession to the Throne, for which the Treaty of 1852 had fully provided, being now raised as an additional subject of controversy. Austria and Prussia had taken a course with reference to this matter which was neither intelligible nor consistent. They had proceeded to occupy Schleswig as “a material guarantee” to enforce the fulfilment of the engagements of 1851, thereby acknowledging King Christian to be Duke of Schleswig, whose title the other Powers, members of the Diet, denied in favour of the Prince of Augustenburg. Austria and Prussia had then given notice to Denmark

that, under the penalty of war, she should revoke the Constitution of November within forty-eight hours. England had advised that the Constitution should be so revoked, and Russia had made the same recommendation; but the King of Denmark, as a constitutional King, required time to convoke the Rigsraad in order to obtain the sanction of that assembly to the step. Austria and Prussia had unreasonably refused to allow the time necessary for this purpose. In order to give security for the compliance of Denmark, it had been proposed that there should be a protocol, recording, in the names of France, Great Britain, Russia, and Sweden, the intention of the Danish Government to make the required concession. This proposition also the German Powers had rejected. They had excused themselves for their non-compliance on the plea that, if after having been prepared to enter Schleswig they had stopped in their course, there would have been such a commotion in Germany as would have exposed them to the risk of a revolution. It was hard, indeed, for Denmark to be made the scapegoat for German dissatisfaction. Earl Russell read to the house a letter which our ambassador at Berlin had addressed to the Prussian Minister, Herr von Bismarck, requesting to know whether his Government still admitted the validity of the treaty obligations of 1852, and he read also the vague and equivocating answer which had been returned by the Minister to the inquiry. It remained, he said, for future events to give a clue to the construction of that answer. He trusted that the Queen's Government would be permitted to exercise their own judgment upon such events as they arose. For his own part, he had refrained from holding out any hopes of material assistance to Denmark. Our Government had offered her the best advice in their power, but nothing more. The Danish Minister had repeatedly said to him, "We expect no material assistance from England, but we do expect sympathy." The noble lord concluded with some general remarks upon the state of European politics, pointing out some of the dangers which threatened the pacific condition of particular States: but expressing his belief that there existed at present in France, Russia, and in this country the strongest desire to maintain peace. If three such Powers were resolved on that course, he did not believe that any serious war was likely to occur in Europe. He fully accepted the statement of Lord Derby that it was for the Government to stand upon a policy of their own, not to ask Parliament to suggest one. Such was the duty which Her Majesty's Ministers felt to be incumbent upon them, and they would use their best exertions to fulfil it.

The only other speakers on this occasion were Earls Grey and Granville. The former expressed himself disapprovingly of the conduct of the Government on the Danish question. He could not help fearing, he said, that they had done too much or too little. "The tendency of what they have already done—namely, the mission of Lord Wodehouse, and the pressing advice given to Denmark, as to



the course she ought to pursue—has, I fear, without any particular measures being specified, been to create an impression that when the time came our aid would not be wanting to Denmark if Denmark were attacked. We now know that the attack has been made, and no assistance has been given by us. This may be right, but I confess that it appears to me that if we were to withhold our assistance, it ought at once to have been made clear to Denmark from an early time that she must not look for our aid, nor be induced by an expectation of it to pursue a course of policy she would not otherwise have adopted. I also cannot help thinking that, if it should ultimately appear that we ought to protect Denmark, we have, perhaps, allowed the time to go by at which we might have interfered with the greatest advantage, and with the greatest probability of avoiding war. I cannot but believe that in these cases the boldest policy is sometimes the best, and, assuming that ultimately we should be bound to interfere, I firmly believe that in that case it would have been far better that we should much earlier than this have told the German Powers in plain language what would be the consequence of their persistence in the course they were pursuing. I hope and trust that the Government are not making the fatal mistake of deciding on each event without having, at least in their own minds, some clear and definite line of policy, which they may ultimately pursue. If they intend ultimately to come forward in defence of Denmark, it is my belief that the right course for them then to have taken would have been to have called Parliament together at an early date, and to have communicated to both Houses on the part of the Crown the course of events which made it necessary to take some step that might ultimately lead to war, and to ask for the concurrence and support of Parliament. That might have been followed by sending a British force to Schleswig; and, looking to the geographical position of Denmark, the great exertions which the Danes seem inclined to make in their defence, and the great support our naval power can give in a defensive war to a military force, I am convinced that such a force as this country ought to be able to send with great expedition and ease to Schleswig might have had an important effect on the contest. Considering the enormous sums voted for the army and navy during the last ten years, I cannot but believe that we are now in a position to send, if it were necessary to make the exertion, such aid to Schleswig as would form a most valuable support to the Danish force. I am further convinced that if we had taken such a decided course as this, Austria and Prussia would have hesitated before they made an advance which would have involved an attack by them on the British army. Considering the state of Venice, and the condition of the Austrian finances, I cannot help thinking that Austria would have thought twice before opposing an English army in an intrenched position. I do not say that this is the course which ought to have been adopted, but I do say that Parliament does not at present know what has been done.”

Lord Grey proceeded to express his regret at the difficulties in which this country had been involved in Japan, China, and New Zealand.

Earl Granville defended the policy of the Government against the animadversions of the last speaker. He denied that the Ministers were bound to interfere in the German and Danish quarrel merely because they had a large force at their command, without reference to the interests of this country. The course which the Government had laid down was, he thought, the just and prudent line of policy—to hold out no hope that they could not realize—and to avoid any language tending to encourage those from whom the Government differed, in supposing that they could go on in a course of injustice with perfect impunity.

The discussion thus terminated, and the Address was adopted without a division.

In the House of Commons the Address was moved by Lord Robert Grosvenor, and seconded by Mr. Göschén, the recently-elected member for the City of London. Both members dwelt principally upon the Danish question, and expressed their adherence to that policy of intervention upon which the Government had acted. Mr. Göschén entered also at some length upon the internal condition of the country, and while he viewed with satisfaction the evidences of prosperity which it presented, he expressed his hope at the same time, that side by side with that prosperity there might be a proportionate improvement in the condition of the working classes and of our large pauper population.

Mr. Disraeli then entered upon a criticism of the policy and proceedings of the Government, on which he commented in his usual caustic and sarcastic style, amidst the cheers and laughter of his supporters. He began by complaining of the deficiencies in the speech from the Throne. No notice was taken, he observed, of the condition of Ireland. It would have been wise and politic, he thought, to acknowledge not only the existence of distress in Ireland, but the manner in which it had been borne. He should like, he said, to have seen some reference to America in the speech, the omission of which he considered strange. It would have been satisfactory to know whether the principle of neutrality was still recognized, and whether, during the Recess, it had been impartially observed and strictly enforced. Nothing was said about China, or of the diplomatic action regarding Poland, or of the proposal of the Emperor of the French for a Congress. There was a still more remarkable and a significant omission, which the House could not allow to pass unnoticed. Parliament was not congratulated, as usual, upon the friendly relations between this country and foreign Powers. Reviewing the diplomatic action of the Government in relation to Russia, Greece, and France, he censured the mode and manner in which the proposal of the French Emperor for a Congress had been met by the Foreign Secretary. Although it could not be said that the affair of Schleswig-Holstein was not noticed in

the Speech of the Royal Commissioners, he complained of the manner in which the question had been put before the House of Commons, showing that Her Majesty's Government avoided giving an opinion upon it. "The convenience of Parliament," continued the right hon. gentleman, "is appreciated in a free country. But there is one advantage in Parliament which is not always understood, but which it appears to me at the present time Her Majesty's Government entirely appreciates, and that is, that when the Ministry have not a policy it is convenient to look to Parliament to find one for them. What I wish to impress on the House is, that that is by no means our duty. If there be a prerogative of the Crown which no one has ever challenged, it is the prerogative of declaring peace or war, without the interference of Parliament, by Her Majesty alone, under the advice of her responsible Ministers. And if Her Majesty's Government are of opinion that this country ought to go to war for any cause, or on any side, and advise Her Majesty to take that step, and Her Majesty takes that step, and there is a war, whether that war be just or unjust, no doubt Parliament will support Her Majesty, though, at the same time, they will take the constitutional opportunity to express their opinion on the policy of the Government, to elicit information on the subject, and to throw light upon the circumstances which will be conducive to the formation of a clear opinion upon the matter. I mention this, because I do not think that Her Majesty's Government are eminent for courtesy in the manner in which they treat the House of Commons. It is only recently we have been reminded, not by the noble lord, but by writers whom he recognizes as great masters of the English language, that affairs are carried on in a very satisfactory way as far as the House of Commons is concerned; that the great departments are principally represented by Under Secretaries; that nobody cares much what they say or what they do; and that the relations between the Government and the House of Commons are fast drawing to that satisfactory condition which subsists between members of the French Chambers and their master. Humiliate us if you like. Degrade us if we must submit to it. But, at any rate, do not call on us to bear responsibility. If the relation of the House of Commons to the Government is fast approaching the relation of the French Chambers to their master, we have a right to look to the Government to do that which in the language of the day is known as 'taking the initiative.' No doubt, there are difficulties in the way of the Government coming with a cut and dry policy to settle all the differences of Europe. The condition of Europe is one of a very grave character, and upon the conduct of the English Government and on the conduct of Parliament much depends. But the noble lord must feel that it is for the Government to frame a policy which they think they ought to recommend, and no doubt when it is brought forward, if it be a wise and fair policy, the House will unanimously support them; for I have always seen that whenever foreign affairs have occupied



the attention of the House there has been an absence of party strife and feeling in dealing with matters of such high importance. If we believe that this country is engaged in a just and fair quarrel, Parliament will support the Government, of whomsoever it may be formed. But let us be sure about the policy which we are pursuing. Let us be quite sure, if we go to war, first of all that it is a necessary and just war; and, secondly, if now necessary, whether it might not have been prevented by more astute and skilful management. I think I have shown some reasons why the country should look with suspicion on the foreign policy of the present Government. I looked with some suspicion on it last year. I thought I observed in it uncertainty, inconsistency, a variance between the courses recommended by different Ministers, which seemed to portend the greatest of all evils—namely, indecision in the treatment of our allies. Her Majesty's Government, throughout this particular business of Germany and Denmark, has been like a certain Prince—not of Augustenburg or Glücksburg—but that unfortunate Prince of Denmark who was infirm of purpose—

‘The times are out of joint, oh, cursed spite,  
That ever we were born to set them right!’

But you are Ministers to set them right, and I protest against your coming to Parliament in a critical state of affairs without a policy. If you have a policy, let it be brought forward fairly and candidly; but do not come masked or visored here without our knowing whether in your opinion the claims of Denmark are just or the claims of Germany can be defended. Let us know what is the opinion of the Government; and I more particularly wish to know the opinion of the Government, because what occurred in the recess is not such as to induce or authorize an Opposition to give a blind confidence on a question of foreign policy.”

Lord Palmerston then rose to answer the charges made against the Government by Mr. Disraeli. He observed that the objections made by the right hon. gentleman to the Royal Speech related not to any thing which it contained, but to what it did not contain—and he explained the reason of those omissions. The Government had over and over again lamented, as they still did, the continuance of the war in America, and declared more than once that they professed, and intended to pursue, the policy of strict neutrality. Our relations with China were good; there was, therefore, no necessity for dilating upon them in the Speech from the Throne. It was equally unnecessary to say any thing about Poland, for every body knew the efforts which had been made, and had unfortunately failed, to induce Russia to adopt a more humane and conciliatory conduct. He denied that there was aught discourteous in the answer which had been given by Ministers to the proposition of the Emperor of the French for a European Congress. The fact was, that the habits

of this country were plain and simple. We stated our opinions and gave our reasons without indulging in those complimentary expressions which other countries were accustomed to use. He believed that such a Congress, instead of strengthening the foundations of peace, would only lead to a wider separation, and make the existing differences more apparent; but he could assure the House that the relations between the two Governments were as cordial now as they were before the proposition was made. He denied that Ministers had come down without a policy on the Schleswig-Holstein question. That policy had been to endeavour to bring to a friendly settlement the differences which had arisen out of the Treaty of 1852; and within a few hours the Government had had the satisfaction of receiving information from Austria and Prussia that they were prepared to declare that they abide by that treaty, and maintain the integrity of the Danish Monarchy, in accordance with its provisions. By not waiting until the Danish Parliament had assembled and revoked the constitution of last year, those two Powers had put themselves in the wrong. England, France, Russia, and Sweden had combined in urging Denmark to abrogate that constitution; but it was physically impossible that the King could do so in a constitutional manner until his Parliament had been called together. Austria and Prussia had therefore unjustifiably entered the Danish territories. In conclusion, the noble viscount defended the general foreign policy of his Government. That policy, he declared, was a policy of peace and of unremitting effort to reconcile differences and prevent quarrels and collisions between the various states of Europe; and he was persuaded that it was a policy which would receive the approbation of the country and of Parliament.

The debate was continued at some length. The principal speakers in opposition to the Government were Mr. Seymour Fitzgerald, Lord John Manners, Mr. Whiteside, and Sir John Pakington, the policy of this country in regard to Denmark forming the chief topic of observation. This policy was characterized by some of the Opposition speakers as confused, oscillating, and ignominious.

Mr. Hennessy adverted to a declaration by Earl Russell, that, by the violation of the Treaty of Vienna, Russia had forfeited a title to Poland, and asked why that declaration had been withdrawn from a despatch. He complained of the policy of the Government in relation to Poland, and accused the Emperor of Russia of being the real author of the severities exercised towards the Poles. With regard to the Danish question, he examined the history of the Treaty of London, and denied its validity. The question, he said, was one in which we ought not to have interfered. Denmark was actually dismembered, and Lord Russell was responsible for it.

The Chancellor of the Exchequer vindicated the course pursued by Her Majesty's Government. He said that the sum and substance of the advice given to Denmark was that she should fulfil

her engagements. So far from contracting a debt to Denmark or to any other country, by giving that advice, he held that they had performed the part of a true friend, and conferred upon her a real obligation.

Eventually the Address was agreed to without a division.

The debate upon the Address on this occasion was marked by the omission of one topic which usually holds a prominent place in such discussions, the condition of Ireland. The omission, however, was repaired on the bringing up of the report, when Mr. White-side took occasion to remark upon the absence from the Royal Speech of any reference to the state of the sister country: Ireland, he said, had not participated in the abundance on which Mr. Gladstone had in his financial statement of last session congratulated this country. Those two great branches of the national industry, distillation and the paper manufacture, were in a very depressed condition, and this he attributed to the course of legislation in recent years; whilst so wide-spread was the distress amongst the population, that during the last thirteen months upwards of 100,000 men had quitted the shores of Ireland to swell the ranks of the Federal army of America. He did not see how Irish affairs could be efficiently conducted under a local government, where members exhibited so many discordant opinions. Look at the mode in which they were governed by their chief secretaries. Mr. Horsman was chief secretary for a time, and that gentleman said he had nothing to do. But there was abundant work to be done by those who chose to work for the benefit of the country. Then came Mr. Cardwell, but no one knew why he came or why he left. He occupied one summer in inventing a penal law to punish the young men of Derry for singing songs and hanging out flags, and that law was now a dead letter. Then came Sir R. Peel, who dashed into Dublin, crossed the mountains which separate Sligo from Enniskillen, pierced his way into Londonderry, and from the centre of the unconquered city was reported to have addressed the noble viscount in the words of the great Julius—" *Veni, vidi, vici.*" He should like to know how they were to govern a kingdom of the size of Ireland if they excluded from all share in that Government the brain and industry, the property and intelligence of the country? The right hon. gentleman then referred to the emigration from Ireland, and said, under the circumstances, it was not unreasonable to expect that a few gracious words would have been used to soothe the sorrows of that nation.

Sir R. Peel said that the emigration was but the natural result of Ireland's inability to give employment to the vast number of her agricultural labourers at an adequate remuneration. He did not think, therefore, that it was an immense misfortune that that emigration should continue, though he acknowledged it was a sad thing to find men induced to leave their country upon false pretences, and upon reaching America, obliged to enlist in the Federal army. He believed that the condition



of the agricultural labourers of Ireland was every year improving, and that there was a great and constant increase of social and domestic comfort to be found in their homes. The potato crop was better than it had been since the famine, and the turf had been all well got in. No doubt the prospects of the late harvest had not been fully realized, but, on the whole, he considered that the state of Ireland was better now than it had been for the last three or four years.

Mr. O'Hagan (the Attorney-General for Ireland) vindicated the government of Ireland, and said, that there was at this moment no country in the world which was so free from crime as Ireland, notwithstanding the local and exceptional instances of agrarian outrages.

Mr. Bentinck traced the Irish exodus to the financial legislation which had been completed in 1846. He regretted the silence observed by the Queen's Speech with regard to our relations with the Federal States of America. The Government ought to have informed Parliament whether or not it was their intention to allow the continuance of the paper blockade, or to take steps to render that absurd farce altogether nugatory, and what course they contemplated respecting the outrages committed upon our flag by Federal cruisers. He urged upon Ministers the necessity of putting our military and naval forces upon an efficient footing in view of existing complications; and said that in the event of their determining upon war, they were bound to tell the House how they proposed carrying on operations, without again sacrificing, as in the case of the Crimean war, to a short-sighted and cruel policy, the best blood and the treasure of the country.

At a later period of the Session the subject of Irish Emigration was revived by Mr. P. Hennessy, who moved Resolutions in the following terms:—"That this House observes with regret that the agricultural population of Ireland are rapidly leaving the country; and that this House trusts that Her Majesty's Government will direct their attention to the subject, with a view of devising some means by which the Irish agricultural population may be induced to devote their capital and labour to reproductive employment at home." He referred to the great extent of the emigration from Ireland, which was at this moment, he said, greater than at any period during the last ten years; to the rapid diminution of the population; to certain theories as to the effects of this decline of the population, and to the actual results, in land going out of cultivation, the reduction of wages, and the increase of pauperism; and he described the inducements held out to the emigrants, and their condition in the places to which they went. He suggested that the Government had the choice of three courses for meeting the evil,—namely, legislative measures that would restore concord between landlord and tenant in Ireland; the employment of public money in public and reproductive works; and lastly, the reclamation of waste lands.

Sir R. Peel, after adverting to the difficulty of properly appreciating the causes of the depressed condition of Ireland, observed that there had been a wonderful revival, and proceeded to reply to Mr. Hennessy upon the two main points of his motion—namely, emigration and the condition of the agricultural population. With regard to emigration from Ireland, Mr. Hennessy's statement, he said, was not strictly correct, and he gave correct details of its extent, which had recently diminished. There was no doubt, he acknowledged, that there was a great desire on the part of the landlords in Ireland to facilitate the emigration of the redundant population on their estates, and he showed that emigration had been regarded by Parliamentary Committees as a relief of the mass of destitution and superabundant labour by reducing the number of those who consumed more than they produced. As regarded the other point, the state of agriculture in Ireland, and the statement of Mr. Hennessy that land was going out of cultivation, he observed that though there had been a decrease in cereals, there had been an immense increase in the quantity of land under cultivation, especially in flax; and with reference to his suggestions, he remarked that an immense quantity of waste land had been reclaimed, and that he did not believe there remained more than 3,500,000 acres of reclaimable land in the island. In conclusion, he showed that there had been a remarkable development of the trade of Ireland; that its capital had increased, that its tillage had improved, that an impulse had been given to its industry, and that all this was owing to the innate energy of the great bulk of the people.

Various opinions were expressed, in the course of the debate which ensued, on the subject of the relations of Landlord and Tenant in Ireland, and the remedies required to give security for the investment of capital in that country. A modification of the laws relating to the tenure of land was advocated by Mr. Maguire and Sir Patrick O'Brien. Lord Athlumney considered that a state of security was the great desideratum for the country, and the manifestation towards the people of a spirit of kindness and forbearance, rather than an interference between landlord and tenant. He considered the present mania for emigration among the Irish peasantry fully accounted for by the many inducements which it offered—the large sums sent over from America to facilitate it, and the little temptation offered to the peasantry to remain at home. Mr. Whiteside thought that the repeal of the Corn Laws and other measures of recent legislation had operated disadvantageously to Ireland. Mr. Monsell regarded the rapidity with which the population was leaving the country as a matter for serious alarm, and he thought that measures were practicable, and ought to be adopted, to meet the evil. Lord Palmerston recommended Mr. Hennessy not to press the motion to a division. No doubt, it was very much to be lamented that causes existed which drove a large mass of the people of Ireland to emigrate from

their native land; but if they went to a country where they found themselves better off than in their own, the change on their account could not be regretted, and it would be unkind to prevent their emigration. It was impossible by legislation to alter the laws that regulate human society. He moved the previous question, and the House by a majority of 80 to 52 decided that the Resolutions should not be put.

## CHAPTER II.

FINANCIAL AFFAIRS.—Favourable condition of the Public Revenue at the commencement of the year—Retrospective view of the effects of Mr. Gladstone's policy—Financial position of England contrasted with that of Continental countries.—*The Chancellor of the Exchequer's Financial Statement*—His review of the results of the Free Trade measures—Unprecedented increase of our foreign trade—Declaration of a surplus and proposed appropriation—Reduction of Income Tax—Fire Insurance Duty and Sugar Duties—Minor alterations in the Customs Duties and Taxes—Ultimate prospects as to the Income Tax—Favourable reception of the Budget in the House of Commons and by the public—A Motion made by Mr. Sheridan to obtain a further reduction of the Duty on Fire Insurance is negatived.—*Debates on the Malt Duties*—Motion of Colonel Barttelot to give the preference to malt over sugar in the remission of duties negatived by a large majority—Motion by Mr. Morritt pledging the House to future consideration of the Malt Duty rejected—The Chancellor of the Exchequer introduces a Bill to relieve malt designed for the feeding of cattle from duty under certain conditions—Reception of this measure by the agricultural interest—It passes the House of Commons—Debate on the Bill in the House of Lords—Earl Grey deprecates attempts on the part of the landed interest to abolish the Malt Duties—Opposition by other Peers to these views.—*Modification of the Sugar Duties*—Mr. Crawford objects to the re-adjustment proposed by the Chancellor of the Exchequer—Vindication of the plan by Mr. Cardwell—The measure of the Government is agreed to—Rejection of the Chancellor of the Exchequer's Bill for altering the system of collecting the Taxes—His plan for extending the benefits of Government Annuities in connexion with life insurance—Alarm and opposition excited against this measure in the first instance—Mr. Gladstone's explanation and justification of his scheme—Proposed reference of the Bill to a Select Committee—Consent of the Government to an inquiry restricted within certain limits—Appointment of the Committee and result of investigation—The apprehensions excited by the Bill are removed, and it passes both Houses of Parliament without opposition—Beneficial character of the measure—Various Motions in the House of Commons on financial subjects—Rejection of Mr. Hubbard's Resolution respecting the Income Tax—Appointment of Committee, pursuant to Colonel Dunne's Motion, to inquire into the proportion of Imperial Taxation borne by Ireland—Withdrawal of Mr. White's Motion for a general investigation by Committee into the fiscal system.

THE financial policy of the Government, as represented in the annual statement or "Budget" of the Chancellor of the Exchequer, formed this year the most interesting—indeed we might almost say, the *only* interesting feature, so far as domestic affairs were concerned, in the transactions of the Session. The great ability and eloquence of Mr. Gladstone, which enabled him to invest the



most dry and complicated details of financial operations with a charm and interest rarely attached to such subjects, had of late years given a peculiar *éclat* to these expositions of the national balance-sheet, and attracted an unusual concourse of persons anxious both to hear the orator and to learn the results of his skilful management of the public resources. The great success of the financial legislation of the last few years was indeed well calculated both to quicken the interest of the public on financial subjects, and to add strength to the Administration under which those results had been achieved. The effect of simplifying our fiscal system by the abolition of petty burthens and restrictions, and of relieving trade and industry from the shackles formerly imposed upon them, had been so rapid and extensive as to surpass the expectations of the most sanguine. As fast as taxes had been cut down, the elasticity of the revenue had supplied, and in some cases, more than supplied, the deficit created ; the results indirect, as well as direct, of removing duties were manifest in every branch of the national income, and the bold experiments which had filled some over-cautious minds with alarm were found after a short interval to have been the truest economies and the most prolific investments of public money. The effect of twenty years of free-trade legislation, inaugurated by Sir Robert Peel in 1842, and carried on by his successors in office, had been such that, concurrently with the repeal of a long catalogue of duties and imposts which had previously fettered manufactures, and excluded most valuable foreign products, the finances of the country presented an aspect of abundance and stability almost without precedent in our history, and to which no foreign country could offer a comparison. In point of wealth and national credit indeed England stood almost alone at this time among the nations of the world. On every side her Continental neighbours were negotiating loans, or striving by some other means to repair deficient Budgets, and to equalize income with expenditure. While the public debt of Great Britain had undergone some, though indeed but trifling, reduction during recent years, that of France had, since the last change of dynasty, been in a continual state of growth, and in the amount of annual burthen which it imposed, was rapidly approaching our own. Spain laboured not only under a scantiness of revenue, but a collapse of credit. Austria was in a state of chronic difficulty with her finances and her currency. Russia was a not unfrequent competitor in the loan market. The new kingdom of Italy was spending so much faster than she received, that the friends and well-wishers to her cause began to tremble lest her infant liberties should be undermined by that most dangerous of political maladies, financial distress. On the other side of the Atlantic a still more singular spectacle was exhibited, that of a nation whose small but unencumbered income had hitherto been one of the greatest boasts of her politicians, now plunging into a vortex of debt, incurred in the prosecution of a war the most extravagant on record, both in

the consumption of treasure and of human life, and rapidly tending to a state of indebtedness surpassing that of the most lavish and heavily taxed of European monarchies. In the midst of these examples of embarrassed and debt-contracting states, the financial circumstances of England, holding a surplus revenue in hand to be applied to a further alleviation of public burthens, presented a gratifying and instructive contrast: instructive because she had taken the lead in that policy, which, while it appears to sacrifice revenue, is really sowing the seeds of its more abundant increase, and is in fact adding both to the sum total of the whole world's wealth, and to the wealth of the particular nation with which that policy had originated. Nor should another cause be forgotten, to which this country had of late years been indebted for the happy equilibrium of revenue with expenditure, —the preservation of external peace. Among all nations war has been, and is, the cause of ruinous expenditure and fiscal distress. It is by their enormous armaments that the great Powers of the Continent have been led to exceed the limits of their revenues and to subsist on loans. In this country the policy of non-interference, of abstinence from aggressive wars and ambitious conquests, has of late acquired a more confirmed hold on the public mind. The experienced benefits of peaceful intercourse and unimpeded commerce, the increased correspondence through the new mechanical agencies recently introduced with the remote parts of the globe, and we may add, the improved moral tone, and higher feelings of humanity which advanced civilization has induced, have operated to imbue the English people with that love of peace which, though some would represent it as the mark of a sordid and ignoble spirit, is by no means indicative, as we believe, of national degeneracy. It was this year well known to the public before the Chancellor of the Exchequer's statement was made, that the national accounts would show a very considerable surplus, and much interest was felt as to the mode in which the balance would be appropriated. When Mr. Gladstone appeared in the House of Commons on the day announced for the Budget, the 7th of April, it was densely filled in every part, a great number of Peers, foreign Ministers, and distinguished strangers crowding the benches assigned to them.

The Chancellor of the Exchequer commenced his speech by noticing, first, the particular circumstances which had affected the financial condition of the country, observing that on the whole, looking at advantages and drawbacks, the circumstances of the present did not differ materially from those of an average financial year. He next stated the results of the expenditure of the past year. Its aggregate amount, including an augmentation on account of the war in New Zealand, and other charges, was 68,283,000*l.*; the actual expenditure was only 67,056,000*l.* The Estimates for the Army amounted to 15,469,000*l.*; the actual expenditure was only 14,638,000*l.* The Navy Estimates were 10,736,000*l.*; the

actual expenditure was 10,821,000*l.* The Miscellaneous Estimates were 7,805,000*l.*; the actual expenditure was 7,702,000*l.* After comparing the expenditure of last year with that of preceding years, he proceeded to state the results of the revenue in the past year, the estimated amount of which was 68,171,000*l.*; the actual produce had been 70,208,000*l.*; showing a surplus of 2,037,000*l.* He then examined the particular items of the revenue, and contrasted the Estimates with the actual result in each. Comparing the revenue of the past year with the revenues of former years, we had, he observed, a pretty sure test of the growth and strength of our resources, the elasticity of which had replaced the loss occasioned by the reduction of taxation. Going back to 1858-59, the annual increment of revenue had been upwards of 1,200,000*l.* It was a sure calculation that the revenue was increasing, from its inherent vigour, at a rate exceeding a million a year. He then stated the amount of the balances in the Exchequer, 7,352,000*l.*, the extent of the liquidation of the public debt within the year, 3,366,000*l.*, and the total capital of the debt, amounting now to 791,574,000*l.*, the decrease of charge since 1815 being 6,435,000*l.* Mr. Gladstone proceeded to give a most encouraging picture of the general state of the trade and industry of the country, the vigour of which, he remarked, notwithstanding considerable drawbacks, had been surprising. He stated the details of this progress, the movement in our trade, including imports and exports, being shown by the following figures:—The aggregate amount in 1861 was 377,000,000*l.*; in 1862, 391,000,000*l.*; and in 1863, 444,000,000*l.*

Mr. Gladstone proceeded to descant upon the social and moral significance of these enormous figures. “That astonishing sum I will only illustrate by these two statements: in the first place, it may be taken to be about three times the trade of the country as it stood at a period comparatively recent—namely, in the year 1842, when Parliament first began deliberately and advisedly to set itself to the task of reforming our commercial legislation; and, in the second place, the sum may be taken to represent as nearly as possible 1,500,000*l.* sterling for every working day in the year—a magnitude of industry and of operations connected with industry so vast that if it did not stand upon incontrovertible figures, it hardly could receive belief. But, in my judgment, not only are these figures remarkable when we consider them as the produce of the energy of Englishmen and of the strength of the country, which is dear to all our hearts; they mean much more than this—though that, too, of itself, were much—they mean that England is becoming more and more deeply pledged from year to year to be the champion of peace and justice throughout the world; and to take part, with no view to narrow or selfish interests, but only with a view to the great object of the welfare of humanity at large, in every question that may arise in every quarter of the globe. Now, I stated that it was since 1842—since the commencement of the great work of Parliament with respect



to commercial legislation, that these great results have taken place. I don't overlook the fact that other elements have been at work—elements of immense power and of immense advantage; and there are some who think that the same effects would have been produced, even if your commercial legislation had remained substantially as it was. I hear a solitary cheer from an hon. member opposite. Well, sir, it is a matter of great national and public interest—a matter of interest, let me add, to other countries as well as our own, that we should satisfy ourselves in some degree, and by approximate evidence, of the truth on this question. I don't at all deny that other countries which have made changes comparatively slight in their commercial laws have likewise made great progress in trade and industry. I don't undervalue the great advantage of the vast powers of locomotion which have been set a-going, and of many other causes which have co-operated to produce the astonishing development of modern industry; but then I find that if I select several years in which Parliament has with firm and unsparing hand addressed itself to the business of liberating commerce, these operations have been immediately followed by striking augmentations in the trade and industry of the country. Whatever has been due to improvements in locomotion, the telegraph, and the progress of machinery has been on the whole equable from year to year. Allowance must, of course, be made for good and bad harvests; but still, if I find this feature meeting me on the examination of the case—that the legislation of Parliament is immediately followed by striking and great results—I think we may conclude that we have not been feeding ourselves with an empty dream when we laboured to give freedom to the energy, capital, and skill of Englishmen. I will only instance three years in which changes of that kind have taken place. In 1853 important changes of that description were made. The exports of British produce in 1852 had been 78,076,000*l*. Now, recollect that 1852 was a year of great prosperity—a year of an excellent harvest and the cheapest capital ever known in this country. 1853 was a year of a bad harvest, but it was a year of legislation in behalf of freedom of trade; and while the exports of 1852 were 78,076,000*l*., the British exports of 1853 were 98,933,000*l*. In 1860 we had something of the same kind. The exports of 1859 were 155,692,000*l*. Here I include exports of foreign and colonial produce; I could not include them in 1853, because at that date there was no official standard of valuation for them. In 1859, as I have said, the British exports of all kinds were 155,692,000*l*. 1859 was a prosperous year, and a year of a rich and abundant harvest. 1860 was a year of the worst harvest known for half a century, and our exports increased from 155,692,000*l*. to 164,521,000*l*. In 1863, again, it was in the power of Parliament to grant considerable measures of relief, and the exports which in 1862 were 166,168,000*l*. rose in 1863 to 195,974,000*l*. Of course, I don't desire to lay down any such rule or dogma as to say that these

figures, and no others, represent the precise influence of your legislation. What they show is this, that there has been an essential and vital connexion between the growth of the industry of the country and the legislative processes pursued within those years."

The right hon. Gentleman next reviewed the effects of recent fiscal legislation upon particular articles, including paper, spirits, wine, tobacco, and tea, and the results of the treaty with France. Proceeding then to consider the financial prospects for 1864-65, he estimated the total amount of the expenditure at 66,890,000*l.*, and that of the revenue at 69,460,000*l.*, leaving a surplus of 2,570,000*l.* In considering the disposal of this surplus he enumerated a variety of minor changes and modifications he proposed to make in the duty upon corn and grain, the tax upon licences to tea-dealers and hawkers, and various stamp duties, which would cause a total loss of revenue of 10,000*l.*, reducing the surplus to 2,560,000*l.* In considering the claims made for the application of this surplus in the reduction of taxation, the strongest, he thought, was preferred on behalf of sugar, an article which was next in importance, in an economical point of view, to corn, and the Government proposed to make a considerable reduction in those duties. The question whether there should be a uniform or a classified duty was a very difficult one. At present we had a classified scale of duties, approved by many, and a scandal and offence to others. He was not prepared to say that a classified duty was condemned by experience; it was not condemned by authority. A committee of that House had reported in favour of a system of classified duties. The intricacy of the question had become enormous. On the one hand, a system of classified duties was stigmatized as "protection;" on the other, a uniform duty had been branded with that name. Various plans had been suggested as substitutes for the existing system, which Mr. Gladstone examined, pointing out the objections to which they were severally open, observing that the form of the duty should be that which least interfered with the natural course of trade, and did not offer a premium for doing something which would not be done if there were no duty at all. The present duties consisted of four classes, and the Government proposed to adhere to the dividing points as now established, reducing the rates of duty to 12*s.* 10*d.*, 11*s.* 8*d.*, 10*s.* 6*d.*, and 9*s.* 4*d.*, with a new class for inferior sugars, chargeable with 8*s.* 2*d.* The loss of revenue from these reductions, taking credit for increased consumption, he took at 1,330,000*l.*, which would bring down the surplus to 1,240,000*l.* Mr. Gladstone next entered upon the question of the Malt Tax, the repeal or reduction of which had been recently taken up by some members of the Conservative party as a subject of agitation in the agricultural districts, and had been made a rallying cry at some recent elections. With reference to this duty he did not believe that the loss by its reduction would, as some contended, be repaired by increased consumption, which had not followed the taking off the Beer Duty, which was practically

a reduction of the Malt Tax. When comparative claims were looked to, comparative grievances should be regarded; and he insisted that the grower of barley had no ground of complaint. Parliament was, moreover, bound to see how the reduction of the Malt Duty would bear upon the interests of Scotland and Ireland as well as England, and he showed that the giving up of the Malt Duty would be a boon almost exclusively to England. He recommended this fact to the consideration of Mr. Morritt. The Government, therefore, had come to the conclusion that they would betray their duty to the country if they applied any part of the surplus to the reduction of the Malt Tax.

Lastly, Mr. Gladstone came to the consideration of one of the most important of the existing elements of our financial system, the Income Tax. He said it was beyond dispute that the country ought to be dealt with fairly and plainly on the subject of the Income Tax. The country ought to consider, and Parliament ought to decide what course it will take. Will it maintain the Income Tax at its present level? will it abolish it altogether? or will it reduce it in amount? Will it regard the Income Tax as an instrument of ordinary finance; or will it decline to employ it in time of peace, and in the absence of great national emergencies, except for the purpose of effecting further reforms in general financial policy? These questions had never been definitely decided by Parliament. In 1842 the tax was proposed with a view to commercial reforms. In 1845 it was renewed with a view to further commercial reforms. In 1848 it was renewed, on the proposition of Sir Charles Wood, now the Secretary of State for India, in a time of considerable public apprehension, though not perhaps of danger, after he had consented to make reductions from the amount which he originally proposed. In 1851 Parliament refused to renew it except on the appointment of a Parliamentary Committee. In 1853 it was renewed for the longest period that Parliament had ever granted the tax, upon a statement of figures, and upon calculations which at the time appeared to afford a reasonable promise of its extinction. In 1860 it was renewed, and even raised, for the purpose of meeting the necessities of the country in connexion with its establishments for defence, but likewise with a view of carrying greatly further the work of commercial reform. Since 1860 Parliament had taken no definite resolution on any question of policy connected with the Income Tax; but it was well contented on the proposition of the Government to reduce the rate to the amount at which it was originally imposed—namely, to 7*d.* in the pound. “That being so, we find ourselves, in fact, at the point at which we stood in 1842 in reference to this matter. These, however, are questions on which Parliament ought to have an opinion. It is not desirable that they should be disposed of in an indirect manner, or that the Income Tax should be continually dealt with simply by renewals from twelvemonth to twelvemonth, founded on, and perhaps



sufficiently justified by the exigencies of the moment, but having no reference to policy, and announcing to the country no clear, distinct, and decided views on the part of Parliament with respect to the proper mode of dealing with this great instrument of taxation. There are many arguments, no doubt, tending very much in favour of the permanent maintenance of the Income Tax as a source of ordinary revenue. Its effects are enormous, and I do not know any tax by which in the same degree as by the Income Tax you get at the vast reserved incomes of the country. You get at them, it is true, unequally and roughly, for you refer it in a large majority of cases pretty nearly to the conscience of each tax-payer to decide what his standard of payment shall be; but still you get at them, and in a greater degree than by any other engine of taxation that I know of. On the other hand, the House is aware of the mode in which the Income Tax operates on the lower class of incomes, though its effect in that way was very much mitigated by the measure adopted last year; and, no doubt, those who desire to see the permanent maintenance of the Income Tax, have reason to congratulate themselves on the operation of a measure which relieves the impost of much of the hardship with which it pressed on the lower classes of incomes. Nevertheless, it still bears severely on what may be called the non-elastic incomes of the country, and occasions a good deal of trouble at this period of the year, when the new assessments are made. The inquisition into private affairs is a serious matter; and the use of a war-tax in time of peace, by which a portion of our last reserve is expended, is a subject well deserving the notice of the House. To the opinion of the inequality and injustice of the Income Tax which is maintained by some, I do not accede; but it cannot be denied that that opinion is widely spread among many large classes; and that, no doubt, is a matter to be considered in reference to any scheme of taxation. As to fraud, it is needless to enter on that topic; it is a sad and difficult subject, and I am afraid that the extent to which encouragement is given to fraud through the imposition of the Income Tax is very formidable."

Another point of view in which the Income Tax should be regarded with disfavour by financiers, was in regard to its tendency to encourage a too liberal expenditure. The duty of economy was nevertheless obligatory on Parliament, though the trade of the country was in a highly prosperous state, and the condition of the public finances flourishing. There was a great mass of pauperism dependent upon public support, and large numbers of poor in our populous towns were in a state bordering on starvation. It was still, therefore, the bounden duty of the House to adopt that principle of careful retrenchment to which it had been pledged by a Resolution moved by Lord Palmerston, and carried in that House two years ago. Mr. Gladstone, however, did not then ask the House to remodel or to abolish the Income Tax, but to address itself to the reduction of that tax; and therefore he proposed to take a penny

in the pound off the Income Tax. The ultimate loss by this reduction would be 1,200,000*l.*, and the immediate loss would be 800,000*l.* This would leave a surplus of 430,000*l.* Adverting to the duty on fire insurances, he said that the Government did not think that any large reduction of that duty should interfere with the other reductions in taxation he had proposed. The duty on fire insurances was 1,700,000*l.*, two-thirds of which was levied on property, and the remainder on industry or stock in trade : and it was proposed to reduce the duty from 3*s.* to 1*s.* 6*d.* so far as stock in trade was concerned. With a view to test the principle of recovery of the revenue after reduction of duty, which had been so strenuously asserted, the reduction would take place from 1st July. The financial result of this would be a gross loss of 283,000*l.* The result of the proposed reductions would, on the whole, be a loss of revenue, which would amount to 2,332,000*l.* ; while the relief from taxation would reach to above 3,000,000*l.* The surplus would remain only at 238,000*l.* The right. hon. gentleman concluded by saying : "The plans we have proposed cannot be compared in point of magnitude with the remissions and changes of some former years, but they are, as we think, a contribution towards the accomplishment of the great purposes which Parliament has taken in hand. Taking the proposals of a particular year, they may be likened to a stone that is cast by a passing traveller upon a heap. Each separate contribution is small, but the general result is that in the course of time a heap is raised sufficient to commemorate some signal action or some great man. It is in that sense that we submit to Parliament these propositions. We believe them to be good, and we trust they will meet with your acceptance, and be taken as a pledge on our part, to co-operate with the Legislature in carrying further forward those purposes, the partial accomplishment of which has already done so much for the strength and security of England, for the comfort and happiness of the people, for the honour of the age in which we live, and for the hopes which we entertain for the future." The right hon. gentleman then moved the usual formal resolution.

His financial statement met with a very favourable reception. Public expectation had, indeed, in a great measure, anticipated the propositions of the Chancellor of the Exchequer. It was known there was a surplus, and the appropriation of it by a reduction of the Income Tax was looked upon as highly probable. It was surmised also that the Fire Insurance Duty would undergo either a partial or total repeal. It was further expected that the Sugar Duties would be altered, but as to the particular form in which they were to be remodelled, the secret of the Government was well kept. This was the only portion of the Budget which incurred any serious criticism. Mr. Crawford, one of the members for the City of London, expressed on this occasion his dissent from the views of the Chancellor of the Exchequer, and intimated his intention to take the sense of the House upon this part of the financial

propositions. Mr. Morritt declared his resolution still to proceed with his motion for the abolition of the Malt Duties, and Mr. Henley expressed his dissent from the Chancellor of the Exchequer's argument founded upon the repeal of the Beer Duty. He believed that a reduction of the duty on malt would lead to an increase in the consumption of that article. Mr. Whiteside expressed his regret that Mr. Gladstone persevered in his injudicious policy of increasing the Irish Spirit Duties. He considered that the consequences of that measure had been very disastrous. The revenue from this duty had fallen much short of the anticipations of the Minister—illicit distillation was never more rife in Ireland than at the present time, and the adulteration of spirits was carried to such a pitch, as to be seriously injurious to the health of the people. It might be said that the only effect of the increase of duty had been to destroy the health of Her Majesty's subjects. Mr. Maguire seconded these arguments. After some further discussion the resolutions proposed by the Government were adopted without division.

The favourable reception which the Budget met with in the House of Commons was fully sustained in other quarters, and the financial measures received a very general approval on the part of the public. Indeed, the success of Mr. Gladstone's policy, though it had been for a time severely impugned, was now very widely acknowledged, and it was felt that the Government of Lord Palmerston owed much of the favour which it enjoyed in the country to this branch of its policy. So far as related to the reduction of the Income Tax, the satisfaction was universal, and this portion of the financial scheme received the assent of Parliament almost without discussion. Upon the question of the Fire Insurance Duty there was not the same unanimity. Many thought that the better course would have been not to deal with this impost by a half-measure, but to reduce it boldly at once, and trust to the recuperative effects of a lowered tax upon the revenue. Mr. H. B. Sheridan, who had in a former Session carried in the House of Commons, a Resolution condemnatory of the existing duty, now gave notice of his intention to ask the assent of the House to an amendment on the Chancellor of the Exchequer's proposition, by which, instead of a reduction of 1s. 6d. per cent. upon stock in trade, there would be a reduction of duty generally to 1s. per cent. upon all descriptions of property insured. On moving this amendment in a Committee of Ways and Means, on the 21st of April, Mr. Sheridan entered into a variety of calculations, to show that his proposal of a uniform reduction would not affect the surplus required by Mr. Gladstone upon his Budget. To this motion the Chancellor of the Exchequer offered an earnest opposition. He contended that the proposed plan would be totally useless for any efficacious reduction of the Fire Insurance Duty. It would infringe the principle approved of by the House in apportioning the receipts and expenditure of the country, and would sweep away the surplus



altogether. As to his own proposal, he said there would be no difficulty at all in rating stock in trade. Mr. Disraeli approved of the principle of the amendment, and should vote for it, but should prefer in the event of its being adopted, to leave out the sum of 1s., thereby only pledging the House to the principle of a uniform reduction of duty. After some discussion Mr. Sheridan's motion was rejected by 170 to 117, and the Chancellor of the Exchequer's proposition was adopted.

Although the Chancellor of the Exchequer had, in his financial statement, expressed himself in a very decided manner, as opposed to any proposition for the removal or reduction of the Malt Duty, on behalf of which measure there had been of late symptoms of an incipient agitation in certain districts, the advocates of the agricultural interest in the House of Commons were not deterred from bringing the question before Parliament, and on more than one occasion during the Session the policy of taxing so highly this essential ingredient in the national beverage was brought under discussion. Upon the order of the day for going into consideration of the proposed reduction in the Sugar Duties being moved, Colonel Barttelot interposed an amendment "that the consideration of these duties be postponed until the House had had the opportunity of considering the expediency of the reduction of the duty upon malt." He stated that the object of his motion was to induce the House to apply the part of the surplus at the disposal of the Chancellor of the Exchequer, which had been appropriated to the reduction of the duties on sugar, to a decrease of the duty on malt instead. He contended that this was one of those taxes the diminution of which was calculated to be beneficial, not merely to a particular class, but to the whole community, by causing the production and circulation of cheap and wholesome beer. The only argument for the retention of the duty was that it was available for the purposes of revenue; nothing could be said in favour of its justice or general expediency.

Mr. Cobbett seconded the motion, and said that he was opposed to the Malt Tax on the ground that it was a question of hardship on the labouring classes, inasmuch as it operated to double the price of one of the necessities of life to them. As regarded the general community, it would be more beneficial to them to have the duty taken off malt than to have a reduction of a penny in the pound of the Income Tax. He supported the motion as a step towards the total abolition of the Malt Duty.

Lord R. Montagu opposed the motion, and said the Malt Tax produced about 6,000,000*l.* a year, whilst the whole value of beer consumed in England and Wales was 60,000,000*l.*, so that the tax amounted to one-tenth of the cost, and no one expected that the benefit of the repeal of the tax would go to the consumer, and even if it did, that benefit would not amount to one farthing per pot. It was said, "Let us consider the labourer; let him have good beer to drink." By all means let them consider the case of



the labourer, but let them not at the same time forget the labourer's wife and children. The labouring man liked his pot of beer, and no doubt it was good for him, but his wife and children liked their tea and sugar as well; and the appeal *ad misericordiam* ought to include them also. Then the hon. member for Oldham said—Repeal the Malt Tax, and the labouring man will brew his own beer, and drink it at home. Why should he do so? Would there not be the same advantages as before in favour of the large maltster or of the large brewer? Where were the capital and the machinery to come from? Would the labourer drink it at home? Hon. members could not suppose that beer was the only inducement to the labourer to go out. He liked company as much as those who met in gilded saloons. He liked to talk his politics, smoke his pipe, and enjoy a good fire—perhaps to be away from a scolding wife at home. He (Lord R. Montagu) was far from being opposed to all repeal of the Malt Tax, if he could clearly see his way to it; but here an agitation had been got up by persons who made the matter as much their business as those who attempted to cure people by quack medicines, and all the petitions were nearly in the same words.

Mr. Cobden suggested that the mode in which the question was raised, namely, by placing the Malt Tax and the Sugar Duties in antagonism, precluded many hon. members, himself among the number, from coming to a decision upon its merits. Looking at the matter simply as one that affected the consumer, he owned that he should prefer abolishing the Sugar Duties, for after the tax on bread there was no tax on which there might be so much said to justify total repeal as that on Sugar. As an advocate of free trade, however, he was bound to say that, if the operation of the Malt Duty was such as to impede the processes of scientific husbandry, and interfere with the desirable rotation of crops, then it was a question that appealed to the House in the interest of the producer as well as to the consumer. Upon this point he had made inquiries among some of the most intelligent farmers, and he was informed that the tax really acted as a prohibitory duty, and prevented the farmer from using malt for feeding his stock at particular seasons. He took this evidence as conclusive, and thought that the farmer stood in the same position in regard to barley from which malt was made, as he had done in reference to hops before the Hop Duty was removed. He asked for free trade in malt, then, as a complement to the free-trade policy which had been in force for the last few years. As a consumer's question he had no doubt that the repeal of the Malt Tax would be a great relief to the poorest classes of the community, to whom it would be the means of affording much solace and contentment. Even if the tax were abolished, it would not entail the loss of the entire amount of revenue derived from that source, for there would be an immediate and vast increase of income from other taxes. But in order to succeed in this object they must also turn their attention to a policy

of retrenchment in the public expenditure, and a reduction of our establishments, in reference to which the present House of Commons had of late years been running riot to such an extent as to have justly earned for itself the title of the prodigal Parliament. Under all the circumstances he recommended Colonel Barttelot to withdraw his motion; for, although favourable to its object, he should be obliged to vote against it, seeing that it put the Malt Tax in opposition to the Sugar Duties.

Mr. Bass said he believed that not only that House, but also the country had adopted the Budget; and, therefore, it could not be expected to be set aside in favour of a reduction of the Malt Tax. All the organs of public opinion had advocated both the reduction of the Income Tax and of the Sugar Duties, and the public must look forward to the next financial success as the proper time to reduce the duty on malt. It was said that the working classes might be able to brew their own beer. He had seen it recommended, for instance, that they should brew in tea kettles, as people were said to do in America. But the man who brewed two bushels of malt could not do it within 10 per cent. of the price of the man who could brew fifty bushels; and the man who brewed fifty bushels could not come within 10 per cent. of those who could brew 500 bushels at once. The working classes could not be expected, therefore, profitably to make their own beer, especially where they had no pig to feed on their grains, or where they did not bake their own bread, so as to consume their yeast. Under all the circumstances he could not support the motion.

Mr. Bentinck remarked upon Mr. Cobden's appearance that night in the novel character of a friend of the agricultural interest, and treated the hon. member's motive for doing so as liable to some suspicion, declaring his belief that neither the House nor the country was prepared to follow his advice by sacrificing the national honour to his notions of economy. He also censured the recent commercial policy of the Government, and observed that the only way of placing the finances upon a sound footing was to reimpose the Paper Duty.

The Chancellor of the Exchequer protested against all idea of re-enacting the duty on paper, and spoke in terms of the highest eulogy of the establishment of a cheap press, and the benefit it had conferred upon the community. He agreed with Mr. Gibson that at this moment the surplus would not enable the house to reduce the Malt Tax more than one-fifth or one-sixth, whilst if it were reduced by one quarter it would cost not less than 1,800,000*l*. In his opinion, if the subject were approached at all, it ought not to be approached in so petty and inadequate a manner, or without considering the relation of the tax to our whole system of taxation on the other beverages of the country. The right hon. gentleman then defended the several propositions contained in the Budget, and said, "I believe that if I had announced that the Government had come to the conclusion to pass by the claim of the Sugar

Duty for reduction, and had proposed a reduction of one-fifth of the duty on malt, the great bulk of the hon. gentlemen opposite, including the front bench, would have been amongst the first to raise an outcry against us; and it is highly probable the hardihood—I will not call it courage—which could have induced the Government to propose such a plan would have ended, not only in the discomfiture of the plan, but in the total disappearance—evaporation—of those who proposed it.

Mr. Disraeli said that nearly all persons were aware of the objectionable character of the Malt Tax, and felt that as Parliament had reduced the price of wine and brandy to the higher and middle classes, it was natural to inquire whether it was not in their power to reduce the pressure which the price of beer exercised upon the limited resources and comfort of the working classes. But he had always been of opinion that it would be inexpedient to deal with this question in any other than a large and comprehensive manner; and he thought that, with a small surplus available, there was no chance of so dealing with it in the present instance. It appeared from the statement of the Government that, even if they proceeded to remit one-fourth of the duty on malt, they would not only have to lay their hands upon that portion of the surplus, which it was proposed to apply to the reduction of the Sugar Duties, but also upon that which was to be devoted to the remission of the Income Tax. Whatever their opinions might be on the Malt Tax, he deemed it most unwise and inexpedient to bring the question of remitting the Malt Duty into antagonism with a proposal for reducing the Sugar Duties. Moreover, it was the first obligation of the house to fulfil its engagements with the taxpayers of the country by repealing the war duty on sugar to which it was pledged. Having performed that engagement, if hereafter they found their resources ample enough, then let them consider the claim of the Malt Tax—the last of the Excise duties—in connexion with any proposal to reduce indirect taxation, for malt was an article that could not be passed by with indifference.

Mr. Morritt suggested that the best mode of disposing of the surplus would be to make a remission of one penny on the Income Tax, and apply the remainder to the reduction of the Malt Duty.

On a division the House negatived the motion by 247 votes against 99.

Towards the close of the Session, the financial arrangements of the year having then been made, Mr. Morritt sought to obtain from the House of Commons a pledge that the question of the reduction of the Malt Duties should be considered at an early opportunity, by moving a Resolution:—"That in case of any modification of the indirect taxation of the country, the excise on malt requires consideration." This proposal he rested on the ground of simple justice; for whereas at various times of late years important remissions of taxation had been granted to other branches of the public revenue, the Malt Duty had received no benefit whatever. With



regard to that impost itself, it hung like a millstone round the farmer's neck. He complained that the agricultural interest ought to have had a share of the surplus revenue of the present year, and he contended that it was but equitable and honest that in any future remission of taxation the question of Malt Duty should be duly considered.

Lord John Manners and Mr. Urquhart supported the Resolution.

Mr. Neate argued that the owners and occupiers of land, by reason of the immunities from taxation which they enjoyed, and the comparative lightness of the burdens to which they were subjected, were not entitled to any priority of consideration on any review of the taxation of the country.

Mr. Newdegate said he should vote for the motion, because it did not propose any immediate measure of repeal, and because he wished, when a surplus revenue next gave the opportunity for revising taxation, that the subject should be considered not merely with reference to the Malt Tax, but also with reference to the position of the agricultural interest and the consumer, and with a view to the adjustment of other taxes, whether the duty on malt was repealed or not.

The Chancellor of the Exchequer said he would not ask the House to meet the proposition with a direct negative, but to agree to the motion for going into committee of supply, the practical effect of which would be the same as if he had moved the "previous question." He recommended that this course should be taken, because he thought it was generally exceptional and unwise to pledge the house by anticipation to future reductions of taxation. The motion, considered in the abstract and in its terms, was not only admissible, but absolutely incontrovertible. Many propositions, however, which were not only allowable, but most fitting to form the subject of an expression of opinion, assumed a character altogether new when, under peculiar circumstances, they became the expression of the opinion of the Legislature, and were placed on the journals of the House. If the motion were carried, and the House proceeded hereafter to fulfil the pledge, the least reduction that would produce a sensible effect upon the price to the consumer would be one-half. The hon. member said he would be contented with one-third, and even to accomplish that much two millions sterling would be required. He believed that to cut down the Malt Tax by such fractions, whilst it would have the effect of diminishing the revenue and leaving the Excise restraints where they were, would not operate to reduce the price to the consumer.

Mr. Morritt's Resolution was rejected on a division by 166 to 118.

But although the Government thus resisted the attempts to take off or diminish the duties on malt used in the manufacture of beer, they offered a concession to the agriculturists in the shape of a remission of so much of the duty as had been hitherto levied upon



malt used for the consumption of cattle. The grounds upon which this boon was tendered to the farmers, and the conditions upon which the remission was to take effect, were explained by Mr. Gladstone, in submitting his proposition to the House, on one of the earliest days in the Session. After adverting to the differences of opinion which prevailed as to the extent to which the duty which he proposed to give up really operated as an obstacle to the profitable feeding of stock, he proceeded to say :—" If it be the effect of the Malt Duty to restrict and, indeed, to prevent the employment in the feeding of cattle of a material really useful for that purpose, it is impossible to conceive a heavier charge or greater objection to any tax levied under the authority of Parliament. If, on the other hand, that material be not of great importance for that particular object, it is certainly much to be desired that the minds of those interested in the subject should be satisfied and enabled to arrive at a right conclusion. At different periods experiments have been made under the authority of the Government, in order, if possible, to arrive at a clear conclusion ; but, whatever may have been the result of those experiments, I do not think that perfect satisfaction would be given to the persons interested if the matter were allowed to rest there. It is, therefore, with great satisfaction I have found that the authorities of the department of Inland Revenue have arrived at the conclusion that it may be in our power, without any serious risk to the great revenue dependent upon malt, and without imposing any onerous or vexatious restrictions, to bring the matter to issue in the broadest and freest manner by authorizing the erection of malt-houses where malt should be made free of duty for the exclusive purpose of feeding cattle. I anticipate no objection to the introduction of this plan, and, undoubtedly, I should be exceedingly well pleased if it be found that the most sanguine expectations of those who have recommended the employment of malt should be fulfilled, because the effect of the measure in that case would be—first of all, a vexatious restriction would be taken out of the way of legitimate trade ; and, secondly, a very important addition would be made to the materials and resources of one of the most extensive classes of British producers."

The Right Hon. Gentleman then proceeded to describe the provisions of the Bill. " Of course we cannot permit that malt should be made duty free for the feeding of cattle in the same premises as malt for the purposes of brewing. That would be attended with difficulties entirely insurmountable in the levying of one of the most important branches of the public revenue. Therefore separate premises will be required. The great security, however, to which we look, and it is the only important restriction imposed by the Bill, is that the malt to be used for the feeding of cattle shall be mixed with linseed meal or cake in the proportion of at least one-tenth of the weight. That restriction can, I think, in no case operate as a sensible burden, and we have arrived at the conclusion that it will be a sufficient protection to the revenue,

inasmuch as it will effectually prevent the employment of the same malt by the brewers." As the measure was to be an experiment, it was proposed that it should continue in operation in the first instance for five years only.

The reception of this measure by the representatives of the agricultural interests in the House of Commons was not very favourable. There appeared to be some question among them whether it would not be wiser to repudiate a concession, the effect of which might be to weaken their case against the Malt Duty as a whole. Some doubted whether the boon was not too insignificant to be worth accepting at all under the proposed conditions; others thought that the Bill would give an opening for illicit distillation to the injury of the revenue. Upon the whole, however, it appeared to be the impression of those who took part in the discussion, that it would be expedient to accept the proposed Bill as an instalment of that large reduction of the Malt Duty which they desired to effect.

On the occasion of the second reading of the Bill, the Chancellor of the Exchequer expressed his views on the subject of the duty in a frank and distinct manner. He repudiated the notion that it was intended as a means of getting rid of an agitation for the repeal of the Malt Tax, and denied that that duty stood first for reduction when placed in competition with beer, spirits, wine, tea, and sugar, on which large duties were levied. He laid it down that, apart from the question of revenue, it would never be desirable nor wise to render spirits, nor even beer, free from taxation.

Upon the Bill coming up to the House of Lords it gave occasion to a debate of some interest, the policy of the Malt Duties being brought into discussion as well as the general principles of taxation. Earl Grey, who took a prominent part in the debate, expressed his regret that Her Majesty's Government had, with a view to the protection of the Malt Duty against those who were agitating for its total repeal, brought in the present Bill; but he was still more surprised that any gentleman calling himself a friend to the landed interest could lend his support to that agitation, the success of which, if it should succeed, could not but operate most injuriously of that interest. He proceeded to analyze the effects and incidence to the Malt Duties. It was a delusion to suppose that they were paid by the farmer or the landed proprietor; they were paid neither by the one nor the other, but by the consumer of beer. At this moment, according to the relative prices of different kinds of corn, barley was the most remunerative crop that a farmer could grow; there was a market for any quantity the farmer could deliver, and he did not believe that the repeal of the Malt Duties would improve his position in that respect; on the contrary, any difference that resulted would probably consist in the importation of a greater quantity from abroad. But if the duties were repealed it was perfectly clear that a heavier charge would be thrown upon the landed interest in the shape of increased Income

Tax—an impost falling most unfairly, land being the only interest which paid on the gross income instead of upon the net. No doubt it would be impossible to repair that injustice without giving room for evasion and destroying the efficiency of the law, but practically the proprietor of land contributed more largely to the Income Tax than the owner of any other income of equal amount. Of all the indirect taxes there was probably none so unobjectionable as the Malt Tax, for though it was an Excise duty, it interfered with no manufacture capable of being carried on or susceptible of improvement upon a great scale. The production of malt was a very simple process—it was used only in connexion with beer, and if the duty were taken off to-morrow, he doubted whether any corresponding stimulus would be given to the trade. Then as to its effect upon the consumer. The duty fell upon an article of luxury; and, though, no doubt, it would be very desirable to make beer cheap for the working man, there were many other articles—such as tea and sugar—that it would be still more desirable to cheapen. And if, under the name of facilitating the feeding of cattle with malt, we were to sweep away the whole of this revenue of 6,000,000*l.*, we should be driven irresistibly to make further reductions upon other articles, and a further increase of direct taxation. Our army and navy had to be maintained at great cost; any very large reductions of public income were, therefore, impossible. Consequently, those who were agitating against the Malt Duties were virtually contending for the increase of the Income Tax.

These views of Lord Grey were controverted by other Peers, especially by Lord Redesdale, who argued that the Malt Tax was one of the most unjust that could be levied. Though paid ultimately by the consumer, which indeed was the case with all indirect taxes, it materially affected the producer. It operated hardly upon the poorer classes, by restricting the use of the most wholesome beverage they could enjoy. It was not necessary that it should be repealed wholly and at once, but if gradually reduced, there was no reason to expect that the relief would be counterbalanced by an increased Income Tax, for we had of late years seen the reduction of other indirect duties equal in amount to the Malt Tax take place without being attended by that consequence. The Bill was ultimately passed.

To the re arrangement of the Sugar Duties, as proposed by Mr. Gladstone, an objection was raised, and a Resolution adverse to the ministerial plan proposed by Mr. Crawford. That gentleman supported his own proposition, which was to the effect that “the real subject for taxation should be the commodity as it was brought into the market for sale,” by a speech in which he entered largely into technical details, and he cited some weighty authorities, among others Mr. J. S. Mill, in justification of his views. He contended that it was not possible for the officers of the Customs to ascertain by inspection the quantity of crystallizable saccharine matter contained in any sample of sugar, and that a law which seeks to effect such an object is unjust to the producer, while it



excludes large quantities of fine sugars from the market, and thereby injures both consumers and the revenue by limiting the supply. Observing that the subject was one of great moment, involving most important principles, he assumed that there were four parties interested in the question as to the mode of assessing the duties on sugar—namely, the consumer, the producer, the revenue, and the refiner; and he argued that the refiners, who had no *locus standi*, were the only party that could be prejudiced by a uniform duty. He then proceeded to establish the propositions upon which his Resolution was founded, remarking that the objection to a system of differential duties upon sugar was not new, and that it had been opposed as contrary to the principles of political economy.

Mr. Cardwell, who had been the Chairman of the Committee to which the subject had been referred, combated the arguments of Mr. Crawford. He undertook to show that not one of the three propositions on which that gentleman had relied, ought to be adopted by the House. The first was that it was impossible for the officers of the Customs to ascertain by inspection the quantity of saccharine matter contained in any sample of sugar. In answer to that he should appeal to the evidence before the Committee and to the practice of the trade throughout the world, in order to show that what his hon. friend believed to be impossible was actually done, and could therefore be accomplished. The next was that a law which sought to effect such an object was unjust to the producer, inasmuch as by striking with a superior duty one pound of sugar which by a better mode of manufacture contained more saccharine matter than another pound obtained from the same raw material, it inflicted direct discouragement on improvement. The third proposition was, that the process suggested by the Government excluded large quantities of fine sugar from the market, thereby injuring both the consumer and the revenue by limiting the supply. He could show that, since the graduated scale had been adopted, the consumption had gone on increasing until it was larger than ever, and the object of the scale had been attained, because quantities of a class of sugar most valuable to the consumer in this kingdom had been imported—a class which, before the adoption of the scale, had been entirely excluded. If, then, those three propositions of the hon. member failed, the Resolution itself could not be worthy of the consideration of the House.

After entering into various details for the purpose of proving the untenable nature of Mr. Crawford's assumptions, Mr. Cardwell proceeded to show that a uniform duty would operate unfairly upon sugars of different qualities, and the Government was of opinion that the principles of free trade would be best carried into effect by a system of classified duties on the article of sugar, which would be fair and just to high, medium, and low sugars. There were interests that might be benefited by a uniform duty; but the great interest of the consumers in this country as well as the doctrines of free trade were in favour of a graduated scale.



Upon a division Mr. Crawford's resolution was negatived by 133 to 17.

Another amendment moved adversely to the proposition of the Government was that of Mr. J. M. Smith, who proposed that the duties on sugar should remain in force for one year only. He contended that the classified duties had greatly disappointed the anticipations of those by whom they had been designed. There was considerable discussion upon this amendment. It was opposed by the Chancellor of the Exchequer who said the question at issue was not one between the refiner and the consumer of sugar. True, the refiner said he could not compete if there were a uniform rate of duty; but, so far from asking for protection, he complained bitterly of the *ad valorem* scale now proposed, and that the limit between refined and unrefined sugars was too small to enable him to compete with the foreigner; but he did not ask for protection. All he appeared to want was equality. As to the insinuation that he (Mr. Gladstone) had become an apostate to the principle of free trade, he entirely repudiated it; and contended that, if the House were to agree to the motion of Mr. Smith, its effect would, indeed, be to reverse that enlightened and progressive policy.

The motion was negatived by 97 votes against 14.

While the Chancellor of the Exchequer was thus successful in carrying his own propositions for the amendment of our financial system through Parliament, in another attempt which he made to improve the machinery of collecting taxes he was not equally fortunate. A Bill had been introduced by him to amend the laws relating to the collection of the Land Tax, Assessed Taxes, and Income Tax. It proposed to substitute the system which existed in Ireland and Scotland, putting the collection of taxes under the department of Inland Revenue, instead of employing the present collectors, who are local officers, though not appointed by the taxpayers. Various objections were made to the machinery proposed to be adopted under this Bill, which, however, proceeded, notwithstanding some opposition, until it reached the third reading, when the House, by a small majority, came to a decision which put a stop to its further progress.

A measure not directly connected with Public Finance, yet of very considerable importance in its bearing upon the habits and interests of the working classes, was introduced early in the Session by the Chancellor of the Exchequer, and though on its first announcement it excited very little attention, it had to encounter at a later stage a good deal of opposition from the alarm and distrust of parties who supposed their interests to be affected by it, and it was only after a searching inquiry by a Select Committee that those fears were proved to be groundless, and the beneficial effects of the measure evinced. The Bill in question was one for amending the law relating to the purchase of Government Annuities through the medium of Savings Banks, and to enable the granting of Life In-

surances by the Government. In introducing it Mr. Gladstone explained, that at present sums could be received for deferred annuities only in large amounts, and the objects of the Bill were to enable them to take smaller sums through the medium of the Post Office Savings Banks. At present Government could grant Life Insurances to the amount of 100%, but only to persons who purchased deferred annuities, and it was proposed to abolish that restriction.

To the measure as thus described no opposition was offered at the outset, but when the nature of the proposition came to be considered, the Directors and officers of some of the Insurance Companies began to regard it as fraught with possible injury to their institutions. It was represented by some persons as embodying the very questionable principle of Government interfering with private enterprise and bidding for insurance business against the associations specially constituted for that purpose. The Actuaries of some of the leading Companies met and discussed the measure, and signs of an organized opposition to the further progress of the Bill were becoming apparent. The alarms of the objectors, however, were not long in making themselves heard in the House of Commons, and Mr. Gladstone, on moving the committal of the Bill, addressed himself with much earnestness to the task of disabusing the public mind of erroneous impressions respecting its nature and operation. He observed that no one considered Savings Banks, Annuities, or Insurances to be abstractedly matters desirable for the Government to deal with. But the Post Office Savings Banks had produced great benefits, and so likewise had the Factory Acts, although they greatly interfered with the liberty of private action. But the Bill now proposed prohibited nothing. It simply offered to such members of the community as chose to avail themselves thereof certain facilities for self-help. This Bill had not grown out of any consideration of the case of Assurance Societies, but from the consideration of Friendly Societies, and of the wholesale deception, fraud, and swindling perpetrated upon a helpless and defenceless portion of the community. It had been said by deputations which waited upon him (Mr. Gladstone) that Friendly Societies were the creation of private trade and private enterprise. But that was not so. All such societies instituted before 1828 were actually subsidized by the Government, as they received from Government 4*l.* 11*s.* per annum for every 100*l.*; and all such societies subsequently established—up to 1844—received from Government 3*l.* 16*s.* per annum for every 100*l.*, whilst Government could obtain only 3*l.* 5*s.* per annum on an average for every 100*l.* Moreover, Friendly Societies had exemptions in regard to Income Tax, Stamps, &c., and all such exemptions must be considered as actual subsidies. Therefore Parliament was justified in looking into the circumstances of those societies. The country was overrun with societies offering most attractive terms, and promising to pay amounts of interest which could not be paid under any sound and honest management.

Government did not set about the fools' work of prescribing laws under which alone people should lend their money, but it was in the highest sense the duty of the Legislature to give to the owners of small savings the advantage of a scheme which held forth no meretricious attractions, but merely offered a low rate of interest, with absolute and certain security. There were societies which had agents all over the country, and in order to induce those agents to draw lives into their nets they were allowed 25 per cent., exclusive of fees, upon all the premiums obtained. Agents receiving so large a commission could not be expected to be very scrupulous about the selection of good lives. In considering this proposal there were three classes of societies which it was necessary to view—first, the principal Assurance Societies; second, the minor Assurance Societies; third, the Friendly Societies. The leading Insurance Societies did not desire small business, and they knew that the Government business must be small. Therefore the present proposal would not interfere with those societies. The distinction between general insurance business and industrial assurances was that the premiums for the former were paid half-yearly or quarterly, whilst the premiums for the latter were paid monthly or weekly. There were many excellent industrial assurance societies, but they did not provide for the wants of the population at large. There were all over the country societies inviting persons by means of agents—who might be called preachers—to whom 25 per cent. commission was given, and whose praises of the societies to which they belong were most eloquent. He (Mr. Gladstone) had asked a deputation from such societies what had they to fear from the present proposal? The reply was, "When our agents persuade men that it is a good thing to insure, they will turn round and insure with the Government." That was paying the Government a high compliment. After some further observations, the right hon. gentleman referred to the condition of many societies whose assets did not exceed the amount of a few years' income, whilst their liabilities were heavy. He said the Government had been prompted to introduce the Bill by representations made from all parts of the country, complaining of the irregularities, frauds, and swindling of what were termed Friendly Societies. The two questions for the consideration of the House were—first, was the plan safe; and next, was it just. With regard to its safety, it would be put in all respects upon the same footing as the Post Office Savings Banks; and as to its justice, if it were desirable that such a business should be undertaken by private bodies, there could be no injustice in the Government acting in the matter. The three things to be ascertained were age, employment, and habits of life as regarded temperance; and on all these points the Government could get information by means of existing local machinery. The advantages which were offered by the measure were perfect security, more favourable terms on the dropping in of policies, and facilities for the migratory portion of the population;



and he was quite willing to submit the rules to the House in the same manner as was done with the minutes of the Committee of Council on Education. Having animadverted at some length on the failure of numerous Friendly Societies, and the disappointment and ruin entailed upon individuals thereby, the right hon. gentleman concluded by expressing a hope that the House would receive this proposal with favour, confident as he was that, if passed into law, it would prove of incalculable benefit to the industrious classes of the community.

Mr. H. B. Sheridan declared himself opposed to the Bill, believing that it would have the effect of destroying many thousand Friendly Societies, and causing great loss to the community.

Lord Stanley, on the other hand, avowed his approval of the principle of the Bill, the effect of which he thought might be to materially diminish pauperism. He wished, however, that further time should be given by Government to consider its provisions.

Mr. Roebuck warned the Chancellor of the Exchequer against converting a constitutional Government into that intolerable nuisance which was termed a "Paternal Government."

Mr. Bovill took a different view. He believed, from the facts that had come within his own knowledge, and had been elicited in Courts of Law, that the Chancellor of the Exchequer had rather understated than exaggerated the delinquencies of Friendly Societies and Insurance Companies, and that his speech had dispelled a cloud of error and prejudice which had been raised against the Bill. Mr. Newdegate took a similar view. On the other hand, Sir Minto Farquhar, Mr. Ayrton, and Mr. Horsfall expressed strong objections to the measure. It was urged that the Bill, while professing to amend the Friendly Societies Act, would really undermine these societies, taking the best of their business to be managed by Government, and leaving the remainder to the managers, and depriving the three millions of people, members of these societies, of the best portion of the receipts of the institutions.

It was said also that Mr. Gladstone had in his speech represented many of these undertakings as delusive or unsound, and that in justice to the societies which had been stigmatized with insolvency or fraud, the managers ought to be heard in their own defence before a Select Committee.

The Chancellor of the Exchequer stated that so far as regarded the machinery and provisions of the Bill, he should not object to submitting it to a Select Committee, but he could not consent to refer the whole subject-matter to a Committee, and so to embark in a long and complicated inquiry which would destroy all prospect of carrying the measure this Session. He referred to the manifestations of the opinion of the public in favour of the measure that had increased as its objects and provisions had become better understood. During his long public life he himself had never received so many letters as he had upon this measure, from various classes of the community, all expressing approval and gratitude for the



measure. He proceeded to explain the reasons why it had not been proposed to adopt a certain set of tables, to be compulsory upon the Government, as some objectors had demanded. There was a grand distinction between assurance by Government and assurance by private societies. "The difference in favour of private societies arises from the fact that the rate at which assurance business can be done depends in the main upon the rate at which the managers can, with prudence and propriety, be allowed to make investments. Private societies working for themselves can make investments at a rate which it is impossible for Government to aim at. You cannot say to the Chancellor of the Exchequer of the day and those who advise him, that they are prudent men, and you will allow them to go into the money market and invest the public money to the best advantage. You compel them to invest in securities on which they can get only 3, or  $3\frac{1}{4}$  per cent.; but it would be a very great hardship if we were to come down to this House with a set of tables which would absolutely preclude any private societies from adopting any other investment. Some who have taken part in this debate anticipate great danger from this Bill, and deny that the Post Office Savings Banks have succeeded, alleging that all the money they have got has been filched from the old Savings Banks. Now, I take the liberty of saying that this last conclusion is one which they will not be able to prove by figures. Then, it is said, if the time ever comes when a vast sum of money is in the hands of the Government on account of the Post Office Savings Banks, and if at the same time the rate of interest is high, there will be a sudden rush for payment, and we shall be called on to reimburse those funds, which will be only bearing  $2\frac{1}{2}$  per cent. interest. The rate of interest allowed on money deposited in the Post Office Savings Banks is now  $2\frac{1}{2}$  per cent.; and I am not prepared to say it ought ever to be higher. At the same time, I do not altogether exclude from my mind the hope that some addition may yet be made in that respect, compatibly, of course, with the essential requisite that the public is not to subsidize the Post Office Savings Banks to the extent of a single farthing, but should even reserve to itself a margin for its own security. Within the last few months we have had an example of the preference of the public for low interest on Government security, rather than high interest in other quarters. The Birmingham Savings Bank determined, in consequence of the Act of last year, to close their establishment. At that moment the rate of discount in London was 8 per cent., and offers of high interest, to the extent of 5 and even 6 per cent., were made to depositors in Birmingham. There were 35,000 depositors, but I believe two-thirds of the whole number and of the entire capital went to the Post Office Banks, giving only 2*l.* 10*s.*, rather than to other banks giving much higher terms. I feel the greatest confidence in the political security of these banks, and even if the argument of the objectors were good as regards these institutions, it would not hold good in regard to the present

measure. If a man chooses to insure with the Government a sum of money payable on death, he cannot very well fulfil the necessary condition and claim his money just because there happens to be a high rate of interest in the market."

It was then agreed that the Bill should be referred to a Select Committee, but the question as to the extent of the Committee's inquiry was raised by an amendment moved by Sir M. Farquhar to empower them to call witnesses and to send for records and papers. This motion, as involving an inquiry into the whole subject-matter of the Bill, was opposed by the Government and was rejected by a majority of 127 to 104.

The Bill received some modifications of its provisions in the Select Committee, and on being reported to the House, it appeared that the opposition which had threatened it at the outset had almost wholly disappeared, and it was carried through its remaining stages with an expression of satisfaction from both sides of the House. In the House of Lords also it met with a favourable reception as a measure conceived in the true interest of the working classes, and was generally regarded, when it passed, as one of the most valuable fruits, which a Session not very fertile in important measures, had produced.

There remains nothing to be added to the above account of the debates and proceedings in Parliament on the subject of Finance, except a brief notice of some efforts made by individual members to procure a re-adjustment of taxation. Among these was the motion of Mr. Hubbard, on the subject of the Income Tax, which had in preceding Sessions, and in various shapes, been urged upon the House of Commons, yet without success. Undeterred by these failures this gentleman again brought forward a Resolution, which affirmed "that the inequalities and injustice attending the operation of the existing Income Tax disqualify it for being continuously re-imposed in its present form as one of the means of levying the national revenue." Mr. Hubbard observed, that after the repeated decisions pronounced by the House on the subject he might be regarded as presumptuous in again bringing it forward; but the Chancellor of the Exchequer, in the course of his Budget speech, had acknowledged the defects and inequalities of the impost. The right hon. gentleman had thus raised the question whether public economy was compatible with the maintenance of the tax; and he thought that by adopting the principle of a graduated scale, it might be made compatible, and the tax rendered so fair and equable that it might be accepted by a country not only of high civilization, but of high morality. The Resolution he proposed was so framed that it would not embarrass the Government if adopted. The change he desired was not immediate but future; and he contended that the burden in its present shape was one that ought not to be continuously re-imposed.

The motion found support in some quarters, but it was opposed by Sir Stafford Northcote, as involving principles which would be

found inadmissible in practice, and which had already been fully investigated and condemned by a Select Committee in a former Session. The Chancellor of the Exchequer further demonstrated the futility of the plan proposed by Mr. Hubbard. He admitted the defects and inequalities of the Income Tax, but said it was difficult to substitute any other that would be less objectionable and produce so large a sum to the revenue. In his opinion the scheme was attended by inequalities quite as great as those which characterized the Income Tax, with the further disadvantage that they were novel. Moreover, it was calculated to entail a serious loss of revenue; yet the Resolution made no proposal for a corresponding reduction of expenditure.

A majority of 67 to 28 pronounced the rejection of the Resolution.

Another proposition for a financial inquiry obtained more attention. Allegations had recently been made by public speakers and by the press, that in the distribution of taxation between the three kingdoms, Ireland bore more than her just share of the imperial burdens, and these statements had been supported in some instances by a plausible show of statistical details. The desire for inquiry into the correctness of these assertions induced Colonel Dunne to call the attention of the House of Commons to the burdens of Ireland, and to ask for the appointment of a Select Committee to consider how far the present arrangements were in accordance with the provisions of the Treaty of Union, or just in reference to the resources of the country. He supported the motion in a speech of some length, in which he cited authorities, oral and documentary, and figured statements, to show that the conditions of the Act of Union had not been fulfilled towards Ireland, that she had been taxed beyond her due proportion, and had suffered from Imperial legislation. To these causes he attributed, directly or indirectly, the backward and still receding state of the country, there being no doubt, he said, that Ireland had gone down in the scale of prosperity. All he wanted was a Committee to inquire into and ascertain the facts.

The motion was supported by several Irish members on both sides of the House—among others by Sir E. Grogan, who advocated the proposed inquiry as just and reasonable. He said it could not be denied that Ireland was grossly over-taxed, in proportion to its means, and something should be done by Parliament to relieve her. Something or other was wrong, and there ought to be an inquiry into the cause.

The Chancellor of the Exchequer said, although the Government would not of themselves have proposed the appointment of such a Committee, yet under the circumstances, finding in the House of Commons a decided desire on the part of Irish members for the appointment of a Committee to inquire into Irish taxation, they thought it would not be wise to oppose such inquiry. He made a few remarks upon the operation of taxation in Ireland with reference to the complaint of over-taxation and disproportionate



burdens, observing that the Committee would have to inquire not only into the taxation borne by Ireland, but into those taxes from which it was exempt, the amount of which was considerable.

Colonel Dunne's motion was adopted without a division, and a Select Committee was appointed which fulfilled the duty assigned to it by a searching and careful investigation into the facts. This Committee presented its report to Parliament before the end of the Session, arriving at a conclusion which must have disappointed the hopes of those who anticipated a confirmation of the charge of financial injustice towards the Irish people.

Another inquiry of still wider range was proposed by Mr. White, one of the members for Brighton, who moved the appointment of a Select Committee to inquire into the operation and incidence of our present fiscal system, and to consider and report if any, and what measures could be devised to secure a more equitable adjustment of the burden of Imperial taxation. In making this proposition the hon. member indicated several changes which he desired to effect in our system of finance, and, disavowing all party feeling, contended that a Committee impartially constituted might now address themselves dispassionately to the question, with a view to ascertaining, among other things, whether the recent course of legislation had been so favourable to the working classes as was commonly supposed, and that much public advantage would result from the inquiry.

The Chancellor of the Exchequer stated the objections he entertained to the proposal, observing that the main difficulties and inconveniences experienced by the tax-payer were connected with direct taxation, and that recent legislation had been generally favourable to the payer of indirect taxes, which were still the most productive source of the public revenue. He declined to accede to the motion, because he wished to avoid the risk of holding out any expectation that any great change could be effected; and he thought it would be wise in the House not to pledge itself to any plan or proposal for carrying out a fundamental alteration in our system of taxation, first, because such fundamental changes were not required by justice; and secondly, because they would be found to be impracticable, in consequence of the obstacles they would have to encounter. He did not mean to apply the doctrine of finality to our fiscal system; but if a Committee were appointed to inquire into the subject, it ought to be with the general desire and concurrence of the House, and under the auspices of the Executive Government. Its very first steps, however, preliminary to the inquiry, would involve a most formidable labour; and he believed that if a Committee were now to be agreed to, it would hardly have opened its proceedings before its members would be gradually disappearing into the country, and the Session would close without any useful result.

After some further discussion, Mr. White consented to withdraw his motion.



## CHAPTER III.

## THE MILITARY AND NAVAL ESTABLISHMENTS AND DEFENCES OF THE COUNTRY—

*The Army Estimates*—Proposed reduction in the number of the forces—Objections taken to this step in the House of Commons—Explanations given by the Marquis of Hartington—Decrease of Military Expenditure as compared with 1863—Statements as to the health, discipline, and equipment of the troops—Discussion respecting guns used in the army and the experiments in progress as to artillery—Omission of the Vote for the Yeomanry Cavalry—After some debate the Government concede the grant—Debate on the comparative rate of military expenditure in England and France.—*The Navy Estimates*—Reductions in the amount as compared with the preceding year—Motion of Sir John Walsh in favour of increased efforts for naval efficiency—Statement of Lord Clarence Paget, Secretary to the Admiralty—Discussions on Dockyard Expenditure, iron-clad and cupola-armed ships, the Armstrong and Whitworth guns, naval barracks, schools for naval instruction, and other matters—Supplementary Estimate for giving increased pay and retirement allowances to naval officers—Personal discussions affecting Mr. Stansfeld, one of the Lords of the Admiralty—Mr. Stansfeld resigns his office and makes an explanation to the House—Remarks of Viscount Palmerston on these proceedings.—*The Civil Service and Miscellaneous Estimates*—Resolution respecting the progressive increase of these charges proposed by Mr. Marsh—Explanations given by Mr. F. Peel, Secretary to the Treasury—The Resolution is withdrawn—Important discussion upon a Resolution moved by Mr. Cobden condemning the large extension of the Government manufacturing establishments for the public service—He censures the great outlay recently made upon the Armstrong guns—The Motion is supported by Sir M. Peto, Mr. Laird, Colonel Barttelot, and other Members—The proceedings of the Executive are vindicated by the Marquis of Hartington, Mr. Childers, Lord Clarence Paget, and Mr. Monsell—The Resolution is not put—The annual vote for the fortification of the docks and arsenals is passed without opposition.

THE Army Estimates for the year were moved on the 3rd of March by the Marquis of Hartington, Under Secretary of State for the War Department. Previously to the House going into Committee on these Estimates, Mr. Baillie called attention to the contemplated reduction of the strength of the army, to which he objected on several grounds—first, because the army was not now sufficiently large to afford the necessary reliefs for the troops serving abroad, by which the public interests were jeopardized; and, secondly, because he believed a reduction of the military force in the present state of our foreign relations was untimely. Formerly England's voice had influence in the councils of the world. Now, it was true she still occupied the position of one of the five great Powers, but her influence had gone; and in Europe and America it was believed that Englishmen valued their money more than the honour of their country. He entered his protest against the reduction of the military force, which he indicated was the cause of this contempt of England.

Major Edwards, on the same occasion, moved a Resolution

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declaring that the discontinuance in the present year of the assembling of the yeomanry cavalry for six days' training would be detrimental to the efficiency of the force, and inexpedient. He condemned the course taken by the Government in the matter as being dictated by a spirit of pitiful economy, and he urged that in the present disordered state of Europe, it was more than ever necessary to attend to the efficiency of the volunteer forces.

The Marquis of Hartington said the war in New Zealand had caused considerable pressure upon the Estimates, and as the Government did not think it desirable to increase the expense of the army, they had come to the conclusion that they could best prevent this by not calling out for one year the yeomanry cavalry, which were in a high state of efficiency. The Government had the highest possible respect for the yeomanry cavalry.

General Peel declared this to be a penny-wise and pound-foolish economy, and said if the Army Estimates were looked through, many items would be found in which economy could be practised more advantageously than in this matter.

Viscount Palmerston said the Government was fully sensible of the value and efficiency of the yeomanry cavalry, and what was now proposed was not calculated to diminish that efficiency. It was, in fact, a disparagement of the force to assume that the absence of training for one year could strike at its efficiency. The only motive for the step which had been taken was economy.

On a division, the motion was lost by 158 to 157. Majority, 1.

The Government, however, eventually gave way upon this question, and the Marquis of Hartington, on a subsequent day, presented a Supplementary Estimate that included a vote of 39,200*l.* for training the yeomanry. The noble lord then stated that since the defeat of Major Edwards's motion, advices had been received from New Zealand of a saving effected in the military establishment there which would place at the disposal of the Government a sum sufficient to cover the yeomanry charge. Some members objected to this vote being now passed, and a division took place, when the proposition was carried by 119 to 29.

The Marquis of Hartington, in moving the Army Estimates, premised that he should have to lay before the House a Supplementary Estimate of about 400,000*l.* The Estimates he now had to introduce to the Committee, he said, amounted to 14,844,888*l.*, those of last year being 15,060,237*l.*, a decrease of 215,349*l.* He compared the net amount of this year's Estimates with the Estimates of 1862-63 and 1863-64, and adverting to the observations of Mr. Baillie, and to the impression that seemed to be felt by some that the Government had gone too far in the direction of a reduction of the Estimates, he justified that reduction on the ground that they were Estimates for a time of peace. He then went through the details, observing that they bore upon two points—the improvement of the efficiency of the troops, by instruction or in the character of their weapons; and the amelioration of the condition of the soldier. The number

of men to be maintained during the year was 145,654, exclusive of establishments (including the depôts of regiments in India), being a decrease of 1464 compared with last year. He proceeded then to reply in detail to the objections of Mr. Baillie, repeating that the Estimates of the present year were peace Estimates, framed without any contemplation of the country becoming involved in war, the Government believing that they were consequently at liberty to reduce the expenditure for the army without impairing its efficiency. The reduction was a very small one, and would not cause the disbanding of a single soldier. After explaining the reason why the vote for the number of men was proposed in the form of a Resolution, the same course having been adopted last year, he went over the several votes, entering minutely into the details of each, especially those relating to the manufacturing departments, war-like stores, and particularly the large ordnance, stating the point which the experiments in the new artillery had attained, and observing that, although we had not yet got the best possible gun, great progress had been made towards that object. He remarked that no science had undergone such rapid improvements as the manufacture of cast steel, which was making daily advances. He admitted that he could not give a perfectly satisfactory account of our position as regarded guns; but he endeavoured to show that, if we were not in possession of a more perfect gun—more perfect as against iron plates—the fault was not that of the Government, or the advisers of the Government. They had prosecuted with the utmost diligence a series of experiments and they were still going on with them. The fault—if fault there was—was with the manufacture of iron plates and projectiles to be fired from guns. There must be a limit to the thickness of iron plates, and he thought they had proved that there was scarcely any limit to human science and improvement. In concluding his statement, Lord Hartington acknowledged that the present, although a peace Estimate, was very large compared to those they had been in the habit of voting a few years ago. Still, he could assure the Committee that the greatest care and pains had been taken in framing these Estimates, not only to effect an apparent saving, but a real economy. General Peel had stated, when supporting an additional expenditure of 43,000*l.* which the Government wished to reduce, that if they looked carefully over these Estimates they would find they might effect savings sufficient to cover that amount. He could only say if the right hon. and gallant officer, looking over the Estimates, could point out an item which could be reduced without much greater loss of efficiency to the army than that involved in the discontinuance of the six days' training, he should be very glad to adopt it. He did not deny that we had been incurring a large expenditure since 1857. He did not deny that the reorganization in almost every branch of the army might have been in some instances extravagant, and that some of our establishments were not conducted in the most economical manner;



but he could assure the House that the heads of the Department had every disposition to enforce real economy. Investigations were going on, having for their object the reduction of expense. He could only appeal to the Committee to point out where they thought a real reduction might be made without a diminution of efficiency, and to support him if he were called on to resist, as no doubt he should be, solicitations for increased expenditure. He had endeavoured, very imperfectly, to lay before the Committee the condition of our army and the manner in which the votes had been framed, and he had now only to place in the hands of the chairman the Resolution—that a number of land forces, not exceeding 146,766 (including 9347, all ranks, to be employed with the depôts in the United Kingdom of Great Britain and Ireland of regiments serving in India, but exclusive of the numbers actually serving within Her Majesty's Indian possessions) be maintained during the year ending on the 31st day of March, 1865.

General Peel reviewed the statement made by Lord Hartington, complimenting him on the able manner in which it had been made and criticizing in detail the propositions of the Government. He expressed his regret at the contemplated reduction of the Artillery by 1300 men. As recently as 1860 Lord Herbert had added a brigade of Artillery, and recent experience in Denmark had shown that guns and fortifications were of no avail without men. Another reason why he deprecated the loss of a single trained soldier was on account of the Limited Enlistment Act, the probable effect of which had excited great apprehension among military authorities. About ten years since, twenty-six new battalions of infantry were created whose periods of service would simultaneously expire before long. It, therefore, became a serious question whether some further inducement to re-enlistment ought not to be held out. With regard to ordnance, it was evident from many circumstances that both in the army and navy we had not yet hit upon the right gun, and he protested that in that quarter a large increase of expenditure was looming in the distance, which would one day cause heavy demands on the Chancellor of the Exchequer.

Mr. Bentinck also warmly deprecated the reduction of our military force as a false economy and a measure calculated to lower the influence of this country with foreign Powers. The policy of the Government Lord Hartington had said was a peace policy. Now, as far as events had yet gone, the Government had done well not to embark this country in war, but it did not follow that a policy of peace would, under all circumstances, justify peace Estimates. Were the Government prepared to take upon themselves to say that we should not be engaged in hostilities either in Europe or America? He thought not; and, if not, they ought not to have brought forward such Estimates as those introduced that evening. The noble lord said truly that it had been found necessary to repair the deficiencies in our armaments that became manifest



during the Crimean war; but he followed that up with the remark that the country ought now to reap the benefit of what had been done in that way. Did his noble friend mean to say that because we were not at present engaged in war we ought to return to the mistaken system from the effects of which we had found it so difficult to recover?

Mr. W. Williams said that we had already under arms, including Volunteers, no less than 650,000 men for the defence of England, and her dependencies and colonies. What more could we want? No other country had so many men under arms. He could understand the Government maintaining a large expenditure, because it gave them a great deal of patronage; but if any hon. gentleman proposed a reduction this year he should give him his cordial support.

Colonel North warmly regretted the proposed reduction of the army, which together with the operation of the Limited Enlistment Act, he considered would be a great loss to our military strength. The experience of the terrible losses suffered in the Crimean war ought not to be disregarded. It required three years to make a good artilleryman, two years to train a cavalry soldier, and what time to educate a sapper he really did not know; but the proposal of the Government was to weaken these three most important branches of the service. Such a proposal was, in effect, saying to the rest of Europe, "You may kick us as much as you please, but you will not kick us into a fight." If such really were to be our system for the future, it would be well if we abstained from eternally interfering and offering an opinion as to the affairs of every other country.

The Marquis of Hartington in reply noticed most of the criticisms that had been made upon the Estimates. He admitted that the probable operation of the Limited Enlistment Act might require serious consideration, but as yet their experience of the working of that Act was too short to allow them to form any safe conclusions as to its effects. With regard to the reduction of the force he offered some explanatory remarks in regard to the evacuation of the Ionian Islands. If they reduced their army by the exact number of men that was gained by the evacuation of the Ionian Islands, they should make a much more considerable reduction than they did—they should reduce it by 4000 instead of 1100 men. As to the reduction of 380 artillerymen, it was well known that if the Ionian Islands were in our hands, in case of war they would take no less than 1000 artillerymen, and, therefore, having given up those islands, we should, in case of war, have that additional number of artillerymen to depend upon. The Government certainly were of opinion that the country was entitled to some relief from the surrender of those islands, and if no reduction had been made, the country would not have been at all better off for having given up the islands. After some further debate the first vote as proposed by Lord Hartington was agreed to.

The discussions upon the various items in these Estimates, which

occupied a considerable time in the House of Commons, turned chiefly upon matters of detail and technical points of military organization and discipline. The cost of the army in its various branches, however, was much dwelt upon, and some interesting comparisons were made between the expenses of our military service and those of foreign nations, especially France. Mr. O'Reilly, who bestowed much attention upon this subject, entered into a detailed calculation of the relative expenditure in France and England under this head. Our Army, he said might be taken in round numbers to consist of 147,766 men; the number of horses, 13,693, or 1 horse to every 11 men. The estimated cost was nearly 15,000,000*l.*; but if they deducted the votes for auxiliary forces, 1,209,509*l.*; for fortifications, 73,000*l.*; for surveys, 88,345*l.*; and for disembodied Militia, 31,213*l.*—in all, 1,402,167*l.*, they would arrive at the conclusion that 13,442,721*l.* represented the cost of the army, which gave 92*l.* 2*s.* 6*d.* per man. (Mr. O'Reilly stated on a subsequent occasion that some error had crept into his calculation, the correction of which would reduce this average by almost 5½ per cent.) The total number of men in the French army was 400,000; horses, 85,705, or 1 horse to 4½ men. The total estimate was 430,260,367*f.*, which was equal to 17,210,414*l.*, or about 43*l.* per man. The causes generally assigned for the greater cost of the English troops were:—1st, higher pay and allowances; 2nd, the cost of recruiting as compared to conscription; 3rd, the extra expenses of troops in the colonies; and 4th, the extra cost of transport of troops to and from colonies. The hon. member proceeded to examine the several causes of increased expense in detail, in order to show that the disproportionate charge of the English army demanded the consideration of the Government.

The Marquis of Hartington in answer gave some explanations with a view to account for the disparities in the cost of the two services. However large the cost of our army might be, it would not be difficult, he said, to show that the additional expense was to be attributed, not to extravagance, but to causes easily accounted for. With respect to the relative cost of a French and an English soldier, it was very difficult to arrive at an exact comparison, because he believed the French Budget did not include all the expenses which were incurred for the army, and which were embraced in our Estimates. It was necessary to take out of other parts of the French Budget some expenses which were properly chargeable to the army in order to make a fair comparison. The general conclusion at which the War-office had arrived was not very different from that which had already been stated to the Committee. It was that the French soldier cost about 48*l.* per annum, while the English soldier cost about 92*l.* In France the expense of the staff, putting together various items scattered through the French Budget, might be stated at 1*l.* 12*s.* 11*d.* per man; whereas in England it amounted to 2*l.* 5*s.* 7*d.* The great secret of the higher

expenditure in England as compared with that of France was to be found in the fact that not only our soldiers, but also all persons connected with the administration of military affairs, were better remunerated for their services than the same class in France. In the French War-office, for example, there were 497 *employés*, with salaries ranging from 72*l.* to 1000*l.* There were no fewer than 382 whose salaries did not exceed 144*l.* per annum. He did not know whether any member was prepared to say that we could find gentlemen capable of performing the responsible duties entrusted to the officials in our War-office for so small an amount of remuneration. He did not believe we could; at any rate, it had hitherto been found impossible to do so. Again, taking the items in the French Budget for pay, allowances, beer and wine, recruiting service, gymnastic and musketry instruction, good conduct money, and other matters, and comparing them with the corresponding items in our Estimates, the result was that the French soldier cost 18*l.* 4*s.* 10*d.*, and the English soldier 30*l.* It thus appeared that the cost of the English soldier was very nearly double that of the French soldier; and this proportion might be said to run through the whole comparison. Moreover, it ought to be borne in mind that a great part of the administration of the French army was carried out regimentally, and not departmentally, as with us, and hence the charge for actual pay and allowances should be taken at a lower rate as regarded the French army, and at a higher rate as regarded the English, than appeared on the face of the comparisons laid before the Committee.

The result of the discussion on the subject appeared to show that, although unquestionably the English army was in proportion to its number considerably more costly than that of France, yet the different mode of distributing and stating the several charges in the public accounts, and the complications thence arising, rendered it extremely difficult to produce an accurate comparison of the relative cost per man in the two armies.

The Naval Estimates, which showed a reduction of 303,422*l.* as compared with those of the preceding year, were laid before the House of Commons in the third week of the Session, with a full explanatory statement by Lord Clarence Paget, the Secretary to the Admiralty. The discussion was prefaced by two motions, bearing on naval administration, one by

Sir J. Walsh, who called attention to the inadequacy of our state of naval preparation to the present exigencies of political affairs, and complained that the Navy Estimates had been framed without reference to the menacing and lowering future impending over Europe. He dwelt upon the disappearance of various securities for the continuance of peace, and upon the spirit of aggression and thirst for territorial acquisition abroad which had replaced them. Having to deal with a new state of things, it was incumbent upon us, he thought, to consider our means of defence, and to be prepared to vindicate our honour in case of need. He adverted to



the revolution which science had wrought in the means of offence as well as of defence, and to the resources possessed by England to supply those means; and he moved a Resolution, "That the great changes in naval warfare, and the critical state of our foreign relations, require the most vigorous and immediate national efforts on a scale calculated to maintain the maritime supremacy of England."

Colonel Sykes expressed his belief that the present navy of England was equal to all the navies in the world combined. He adduced statistics to show that the supposed superiority in force of the French marine to our own, was founded on a fallacy. Other speeches were delivered, and Sir John Walsh, having obtained his object in originating a discussion of the subject, withdrew his motion.

Mr. Lindsay next called attention to the Report of the Commissioners appointed by Her Majesty in 1860 to inquire into the control and management of Her Majesty's naval yards, and to some of their recommendations. He instanced those which were intended to remedy the absence of a clear and well-defined responsibility, and the want of accurate accounts. He admitted that great improvements had been introduced, but he was not satisfied that there was not an enormous extra expenditure in Her Majesty's dockyards, and that iron ships could not be built more efficiently and more economically in private yards. He went through details of expenditure in the dockyard accounts, commenting upon them, and contending that it was impossible to ascertain from thence, whether value was got for the money expended. He concluded by moving a Resolution that the recommendations of the Commissioners ought to be carried into effect.

Lord C. Paget briefly replied to Mr. Lindsay, whose criticism of the dockyard accounts he thought unfair, and explained that the minute details upon which Mr. Lindsay had descanted, were designed to give to the House the fullest information.

Mr. Lindsay's motion being also withdrawn, Lord C. Paget proceeded to make his official statement, observing that he quite agreed with Sir J. Walsh that it was desirable to maintain our fleet upon the most efficient footing, and he should be able to show that it was in a satisfactory position. The Estimates for the year 1864-5 amounted to 10,432,610*l.* as against 10,736,032*l.* in the year 1863-4, being a reduction of 303,422*l.* The manner in which that result was brought about was by a reduction in the number of the *personnel* and also upon the *matériel*, qualified, however, to some extent by an increase in the vote for the wages of dockyard workmen, and the vote for public works. With regard to the *personnel* of the navy, it was proposed to reduce it by 500 seamen, 1500 coast-guardsmen, and 2000 boys, and to take for the service of the coming year 71,950 men and boys, as against 76,000 for the past year. Thus, the marines remaining at 18,000 men, the total reductions would amount to 4050 men and boys. Notwithstanding



that nominal reduction, however, the navy was not retrograding but advancing, as appeared from these facts: that on the 1st of February, 1863, there were in commission 11 line-of-battle ships, and on the 1st of February, 1864, 10. At the same date last year we had 4 armour-plated ships in commission, and this year 7. Last year 41 frigates were in commission, this year 42. Last year 98 sloops and gunboats were in commission, this year 99. The result showed a total of sea-going steam-ships in commission for the present year of 158, as compared with 154 last year, representing a small increase in numbers, but a vast increase of power. In addition to these, there were also guard ships, reserve, store, troop, coast-guard, and other stationary ships, which brought up the full force of the fleet this year to 243 vessels, as against 236 last year. Of the total number of men and boys in the navy, after eliminating all but the pure blue jackets, we had 25,000 actual seamen, of whom a vast proportion were continuous service men. This year it was intended to take 7000 boys instead of 9000; and, according to statistics, the smaller number would supply about 2000 seamen to the fleet annually. The waste of seamen in the navy was about 3000 a year; consequently, 1000 men would have to be supplied annually, from the merchant service and other sources; and at this moment we had 2510 men at our disposal in the home ports. The Naval Reserve was a most successful institution; the men were well drilled and admirably conducted, and altogether it was a highly valuable service. It was proposed to build six gunboats upon the twin screw principle. These would be of 700 tons burthen, each carrying two powerful guns, and they would be armour-plated throughout to the water line, with a space on the upper deck to carry the guns. With regard to our armour-clad ships, we had at the present moment seven in commission, six more would be ready in the summer, six more by the end of the year, and six others in the course of next year, making a total of 25 armour ships as against 21 at this time last year. Thus, there would have been added to the navy four armour ships during the financial year. It was also intended to build a non-armoured ship of a new class, like the "Alabama," which would be a vessel of great speed, for the purpose of cruising, and, in fact, of replacing some of our smaller vessels. The noble lord then entered into a justification of the Government, for the course they had adopted in respect of the construction of armour-plated ships; and with regard to guns, stated that the Admiralty had arrived at the conclusion that  $6\frac{1}{2}$  tons, or even 6 tons, should be the limit of the weight of the gun to be carried by a ship, on her broadside at sea. He also described the results of the various experiments made with guns and iron plating, discussed the state of dock and basin accommodation in the several military ports, announced that it was the intention of the Admiralty to establish a school of naval architecture, took credit to the Government for proposing an increase in the pay of the various classes of officers,

including petty officers, and concluded with moving a vote for the men and boys required for the service of the year.

Sir J. Pakington expressed his astonishment that in the present state of affairs on the Continent and in America the Government should have thought it desirable to propose a reduction of 4050 men and boys. Any diminution of force, whether in navy or army, was calculated to impress on the great Powers the belief, already too general, that the louder we talked the less disposed were we to act. There was obvious danger of this course producing a painful sentiment on both sides the Atlantic, and he could not refrain, therefore, from doubting whether the present was the moment which the Government ought to have chosen to propose any reduction of our naval and military resources. He concurred in the policy of maintaining the Naval Reserve, and of drawing on the mercantile marine when necessary; but no mistake could be greater than of replacing these boys, who were likely to become the most valuable seamen in the fleet, by any accidental addition that might be derived from the merchant service. Nothing in the statement of the noble lord had gratified him more than the announcement that 2510 men and boys were held in reserve in the home ports, ready to be placed in any ships that might require to be manned. He also expressed his unqualified satisfaction at the decision of the Admiralty to ask a vote of 2000*l.*, for the establishment of a school of naval architecture; but charged that department of the Government with want of due caution, in having covered the "*Minotaur*," the "*Agincourt*," and the "*Northumberland*,"—the most costly ships that had ever been added to the navy—with armour which had turned out to be defective and inferior.

Sir Morton Peto expressed his regret that the Government should have determined to increase the dockyard and diminish the personal expenditure of the navy. In whatever aspect the expenditure of the dockyards was viewed, there was much to lament, and but little cause for congratulation. There was a great want of some master mind, which would bring to bear upon the work to be done in the dockyards that economy of labour which characterized the great undertakings of the country.

Mr. Laird regretted that the Government had done so little to carry out the recommendations of the Committee on the Chatham Dockyards, in favour of increased dock accommodation for the Royal Navy. The Admiralty had asked for only 88,000*l.* for this purpose, in the last three years. Yet the want was very urgent; and although an immediate outlay would have to be incurred, the extension of dockyards would cause a saving of a great part of the money now expended by the Admiralty in repairs, which were always much more costly when there was not adequate dock room to carry them on. If docks existed at Portsmouth, Plymouth, and along the west coast, so that the ships could be docked and properly repaired, half the navy would do the work. Mr. Laird made also some practical remarks on the subject of iron-clad

vessels and of cupola ships. With respect to the latter he said, the cupola ships were admirably adapted for going to sea, and it would be a great injustice to Captain Coles, as well as a great loss to the country, if their powers in that respect were not put to the test. He would further observe, that it was a great mistake to place Captain Coles' ships in the same category as the American iron-clad vessels. They were entirely different, inasmuch as the American vessels were mere rams, never intended for sea-going purposes. If he were mistaken in his views, with respect to the excellence of Captain Coles' plan, he should only have fallen into the same error as a great many others; but it was, he thought, at all events, the duty of the Government to test the invention, and if it answered, to go on with it; if not, to try something else. His own opinion was, that we had large ships enough, and that what we required was a smaller class of vessels, so that in the event of war breaking out, we should have ships of all classes to go to sea with, and be prepared to meet any emergency. He hoped, before proceeding with so many ships upon new and untried plans, the Government would test by experiment whether they could work guns of 16 or 22 tons, not in the harbour, but in the open sea, otherwise they would have gone to enormous expense, perhaps only to end in failure.

Sir John Elphinstone observed that the Dock question was of great importance, and ought to be dealt with in an effectual manner. A naval college was very much required. At present, young men who are brought up for the naval service, were cooped up in a ship, where he believed more sickness prevailed than in any other school in the kingdom. Another great defect in our system was the want of naval barracks. It would be perfectly easy, until the final system was adopted, to fit up temporary buildings for the accommodation of men when ships were paid off. It was a sad spectacle when a ship came into harbour, with a crew perfectly fit for sea-service again, if they were only kept together, to see the ship pulled to pieces, the men paid off and dispersed, rendering it difficult for them to find their proper position again. The officers, after great pains in bringing the machine as it were to perfection, were scattered in every direction. In the navy every thing was torn to pieces when a commission was over, and the loss to the country was enormous. The Government provided huts for the army, and they might provide temporary barracks for seamen, at the different ports. As to Captain Cowper Coles, he had provided a plan which produced easiness of motion and speed, while carrying guns so high out of the water, as to give a greater radius of fire than any other mode with which they were acquainted. It was the duty of the Government to have made Captain Coles lay down a complete plan of a cupola ship, and to have finished a ship upon the plan so given, so as to test that principle. No one knew what the primary principle of the cupola was, and no American iron-clad had brought that principle into



operation. He protested against the reduction of boys, because it was cutting off the best source of supplying able seamen. He hoped sufficient money would be taken for improving the condition of the officers of the navy with respect to pay, and thus removing the discontent now existing on the subject.

The vote for the proposed number of men and boys having been agreed to by the House, several discussions arose upon other points of naval administration. Mr. Stansfeld, one of the Lords of the Admiralty, in moving the vote for wages of artificers and workmen in the dockyard, explained the present state of those establishments and the changes and improvements introduced in the mode of keeping the accounts, checking the work done, and supervising the labour department. The increase in the vote was for the 3700 additional men required to repair ships on their way home, to make up arrears in the steam navy, and to construct some of the newest and most powerful vessels ever yet designed. He also stated that sufficient iron had been purchased to complete all the armour-plated ships that would be built or laid down during the next twelve months, and that measures had been adopted for taking stock in all Her Majesty's yards on the 1st of next month, and the system would be continued thereafter.

Mr. Lindsay moved as an amendment to reduce the vote by the amount of wages for the additional number of men in the dockyards.

Sir J. Elphinstone, Mr. Laird, and other members urged that the Government ought to supply fuller information with regard to the sort of ships they proposed to build, before asking the House to vote so large a sum of money.

Mr. Lindsay's amendment was negatived by 100 votes against 29, and the vote was agreed to.

The vote of 1,275,000*l.* for the wages of artificers in the dockyards at home was then agreed to, as was also the vote of 69,200*l.* for the wages of artificers in Her Majesty's naval establishments abroad.

Other votes were canvassed in detail, and led to a variety of discussions, embracing among other topics the state of the effective list of the navy, the condition of the steam reserve, the actual strength of the iron-plated navy of France, the policy of employing upon a larger scale private yards in the construction of ships of war, the comparative merits of the Royal and private dockyards, and the question whether we were to rely upon armour-plated vessels alone, or whether wooden ships were to form a part of our navy. Upon these matters, explanations were given by Lord C. Paget, who stated the number of ships proposed to be built in the course of the year (contingent upon what might be doing by other nations), and that wooden ships could not be entirely done away with.

The same noble lord moved for and obtained the appointment of a Select Committee to inquire into and report upon the basin and



dock accommodation of the Royal dockyards in the United Kingdom, and its sufficiency for the public service, having reference especially to the proposed extension of Her Majesty's dockyard at Portsmouth.

A Supplementary Naval Estimate was afterwards presented on the part of the Government for the amount requisite to enable them to make an increase in the pay and retirement allowances of naval officers, in pursuance of the opinions which had been strongly expressed in the House of Commons with reference to this subject. A sum of 55,266*l.* was asked for to defray the charge for increasing the full pay of the executive officers, paymasters, naval instructors, and petty officers: and a sum of 5755*l.* for altering and improving the system of retirement of officers; and after some objection from Mr. Lindsay, these sums were granted by the House. The scheme upon which the increase of pay was intended to take effect was fully explained by Lord C. Paget in moving these votes.

During the progress of the Naval Estimates through Parliament, some incidental discussions took place in both Houses with respect to a matter of great interest at this time—namely, the guns intended to be adopted in naval service. The whole question of naval armaments indeed was now in a transitional state, the effectiveness both of projectile engines and of defensive armour for ships being under experimental trial, and the progress of invention and improvement in both departments being so rapid as to make a definite decision upon the merits of any particular system very difficult.

In the course of a discussion which arose in the House of Lords early in the Session respecting naval armaments, the First Lord of the Admiralty (the Duke of Somerset) thus expressed himself:—"The truth was that the whole question of the manufacture of iron was now in a state of transition. Every day they would see new experiments with guns and projectiles, and for this reason—they wanted a projectile that would go through iron plates, at a reasonable cost. There were many qualities of iron, but they found that only the very best steel would pierce a plate satisfactorily. There was little doubt that in a short time they would be able to send spherical projectiles through iron-plated ships. But when the noble lord said that wooden ships would therefore be as good as iron ones, he could not agree with him. He was afraid that, whatever they might do, they must still keep to iron-plated vessels, because, although shots might pass through them, yet the inevitable destruction of wooden ships by shells would be such that warfare by such ships against iron-clads would be out of the question. Therefore, while they were increasing the force of their guns, they were also increasing the strength of their ships' sides. The last specimen of a ship's side which they had had was very considerably stronger than those they had before; and he hoped that the vessels so constructed would be able to go to sea, and keep the sea in all weathers. He thought, then, that they had made all the progress in their power.

He was sure that no pains had been spared to do so. The subject was naturally an interesting one, and no one could take it up without desiring to see the progress made in it. Many highly intelligent minds were engaged upon it, and were continually sending in new inventions; and although the Government were so overrun with new projects that if they attended to them all, endless delay would ensue, they nevertheless desired not to overlook any valuable practical improvement."

Mr. H. Berkeley about the same time called the attention of the House of Commons to the state of the armament of the Royal Navy; and, enumerating the various failures which had been experienced with the Armstrong guns, complained that after the expenditure of three millions of money and six years of trials and experiments, the country had to go back to the old 68-pounder. The result was that our iron-plated ships were armed with the 68-pounder and the Armstrong 110-pounder, which could not be fired at full charges, whilst the French ships of war were armed with breech-loading rifled cannon, which at a distance of 1100 yards had pierced through a target equal to the side of "La Gloire." He also observed that the guns of the United States Navy were greatly superior to our own.

Lord Clarence Paget, in answer, entered somewhat fully into detail in explanation of the views of the Admiralty authorities with respect to guns for the Navy. He stated that the very heavy ships, such as the "Minotaur" and the "Bellerophon" were intended to be armed experimentally with 300-pounders—that was to say, with 12-ton guns carrying spherical shot of 150lb. weight. Comparing our progress in this respect with that of other countries, the noble lord said, "As regards America, I give my honest opinion to this House that we are not in a position to say which has the best of it. With regard to the French, my honest belief is that we are more advanced than they are. If you ask any intelligent French officer, I believe he will tell you the same. I know that the French navy have tried breech-loading guns on board the 'Magenta' and 'Solferino,' but I likewise know that their officers do not like them and do not think those guns successful. By the courtesy of the American Government we have been able to send an intelligent officer of the navy over to that country. He is looking at their gun manufactures, and I hope we shall have full information as to what guns the Americans prefer and what progress they have made. I can assure the House, however, that in this matter of guns, notwithstanding what is said out of doors, it is very doubtful yet whether any country is much more advanced than we are."

In the course of the discussions upon the Navy Estimates, an episode of rather a remarkable nature occurred, affecting the conduct and ultimately inducing the retirement from office of Mr. Stansfeld, one of the members for Halifax, and junior Lord of the Admiralty. The circumstances of the case, shortly stated, were

these. At a recent trial in Paris of one Greco and other persons for a conspiracy to assassinate the Emperor of the French, it had been stated by the Procureur-Imperial in his speech that a paper had been found in the possession of one of the accused persons, directing him to write for money to Mr. Flowers, at 35, Thurloe-square, Brompton, where, the Procureur added, a member of the English Parliament resided, who, in 1855, had been appointed banker to the Tibaldi conspirators against the Emperor's life. This incident excited much attention in this country, and Mr. Cox, one of the members for Finsbury, advertg to it in the House of Commons, and remarking that the house to which the reference was made appeared to be the residence of the member for Halifax, called upon that gentleman to give some explanation of the circumstances.

Mr. Stansfeld said he was surprised and indignant at the speech which had been delivered by the Procureur-Imperial, and by which it appeared that the Crown prosecutor of a friendly Power had ventured to insinuate that a member of the British Parliament, and a Minister of the Crown, could have any knowledge of, much less participation in, the atrocious crime with which the prisoners were charged. It was quite true that he lived at No. 35, Thurloe-square, Brompton, but he knew nothing whatever of the prisoner Greco, or of Mr. Flowers, whose letters were addressed to his house. He had, however, been on intimate terms with M. Mazzini for the past eighteen years, and he was persuaded that no man had ever been more cruelly or wrongfully maligned than he was. As regarded the allegation that Mazzini had incited to assassination, he was satisfied that no baser libel could be pronounced.

Mr. Hennessy made some comments upon the answer of Mr. Stansfeld, whom he censured for having, without notice, volunteered a defence of M. Mazzini.

Mr. Cox observed that he had not expected his hon. friend to go into a defence of M. Mazzini, but to answer the question he had put to him.

Mr. Stansfeld said that his address was certainly at 35, Thurloe-square, but he had no knowledge whatever of any letter having been addressed there to a Mr. Flowers, and it seemed almost an indignity to have to answer such a question.

Mr. Hennessy asked whether the mysterious Mr. Flowers was not, in fact, M. Mazzini.

Mr. Stansfeld reiterated that he had no knowledge whatever about it.

Mr. Hennessy then called upon Mr. Stansfeld to say whether he had not acted as treasurer or member of a committee for the collection of money to be distributed among the Italian patriots.

Mr. Stansfeld answered that he had not.

Mr. W. E. Forster expressed himself satisfied with the replies of Mr. Stansfeld, and added that, from his knowledge of M. Mazzini, he fully believed he had had nothing to do with these plots.



The matter, however, was not permitted to rest here. Some days afterwards Sir L. Palk inquired of the Under Secretary for Foreign Affairs whether any correspondence had passed between Her Majesty's Government and that of the Emperor of the French with reference to the statement made by the Procureur-Imperial at the trial above referred to. Mr. Layard answered, with some warmth, that in his opinion the most dignified way of vindicating the honour of the country was to treat such an accusation with contempt. Mr. Disraeli, who took part in the discussion which ensued, thought Mr. Layard's answer injudicious and unsatisfactory. Mr. Hennessy read certain letters written by Mazzini, with reference to other transactions, in which he appeared to justify assassination in certain cases. The subject was again revived on the motion for going into Committee of Supply, by Sir Henry Stracy, who moved as an amendment, "That the speech of the Procureur-Imperial on the trial of Greco, implicating a member of this House, and of Her Majesty's Government, in the plot for the assassination of our ally the Emperor of the French, deserves the serious consideration of this House." An animated debate took place upon this amendment, in which many of the leading members on each side took part.

Mr. Stansfeld repeated the denials which he had given on a former evening, and said he now, for the first time, learned that his name had been associated with the revolutionary designs of Tibaldi or Orsini. He denied that he had ever acted as treasurer with reference to these designs, as no fund whatever had been collected. He admitted that he had allowed his name to be inscribed on bank notes, which he believed would have been used, not in the interests of assassins, but to aid in the establishment of a free and united Italy; but, acting on the advice of friends, he had withdrawn his name from those documents. He also admitted that, in common with other English friends of Signor Mazzini, he had allowed that gentleman to have his letters directed to his private residence, under the designation of "M. Fiori" (of which "Flowers" is the translation). Signor Mazzini had, however, taken steps to prevent any more of such letters coming to his house.

Lord H. Vane said he thought that Mr. Stansfeld's conduct had been very indiscreet. He hoped, however, that the subject would be now allowed to drop.

Mr. P. A. Taylor said that, having been in personal relations for many years with M. Mazzini, and thus in some respect standing in the same relation to him as Mr. Stansfeld, he would explain to the House what all who were acquainted with the relations between foreign Post-offices and the foreign Governments would understand, that any letters addressed to Signor Mazzini from Italy might as well be burnt as expected to be delivered to him in London. He avowed that, in common with others of Mazzini's friends, he had for years placed his address at his disposal. Hon. gentlemen would have the candour to understand that



that fact did not include the slightest idea of participation in conspiracy to assassinate, or even the slightest knowledge of what those letters might contain. He had letters from Mazzini addressed to his house under various names, and also letters addressed to himself, but there was usually some sign inside which showed that they were intended for Joseph Mazzini. He could not be surprised that those who only knew Mazzini through the false and calumnious statements of the press should be astonished at the unbounded confidence, esteem, and affection entertained for him by all those who had the honour of his acquaintance.

Sir J. Pakington thought some explanation was due to the Government of France, and asked Lord Palmerston whether he had already offered any, or intended to offer any.

Viscount Palmerston said the explanation of Mr. Stansfeld was perfectly satisfactory. The Government had not made any communication on the subject to the Government of France, because they considered it would be humiliating for them to take cognizance of what had passed in a court of justice in that country. Mr. Stansfeld had utterly denied all knowledge of the revolutionary schemes of Italian refugees, and he considered the House of Commons ought to be satisfied with the candid disclaimer which his hon. friend had made.

Mr. Disraeli censured the reply of Lord Palmerston as unworthy of the Minister of a great country towards a friendly Power, and called upon the House to vindicate its own honour by passing the Resolution of Sir H. Stracey.

Mr. Bright protested against the conduct of the Opposition as unworthy of a great party. Even if he were the hungriest of that body for office he would be ashamed to make his way to it over the character, the happiness, and the future prospects of the last appointed and youngest member of the Government.

Lord R. Cecil was of opinion that the House ought to express its sense of the culpable imprudence of Mr. Stansfeld.

The Chancellor of the Exchequer appealed to the candour of the House to place confidence in the unimpeached honour and integrity of one of its own members.

Upon a division Sir H. Stracey's amendment was negatived, but only by a small majority, the ayes being 161, the noes 171.

On the following day Lord Elcho asked the Prime Minister whether Mr. Stansfeld had resigned his office. Viscount Palmerston stated that immediately after the question respecting Mr. Stansfeld had been brought forward, that gentleman had intimated to him, through a common friend, that he placed his office at his (Lord Palmerston's) disposal, but the noble lord added that he had informed Mr. Stansfeld that he wished him not to resign it. Further comments were again made on the hon. member's conduct, and the result was, that Mr. Stansfeld adopted the resolution which he announced to the House a few days afterwards, speaking from a seat below the gangway, of retiring from his place in the Government.

He reminded those who heard him that he had before offered to take this step, but had deferred to the wish of the Prime Minister that he should continue to hold his office, and he warmly expressed his gratitude to that noble lord for the confidence which he had shown in him. But there were occasions, he said, on which it became a man to consult his own conscience and his own sense of right as to the course he should adopt; and having become convinced from what he had seen and read that he had ceased to be (if ever he could have believed himself to have been) any accession to the strength of Her Majesty's Government, and that he had reason to fear he might be a source of difficulty and of embarrassment to them, it was for himself and not for others to undertake the responsibility of saying that he could not consent to continue to be the cause of embarrassment to a Government which he had decided to support. He had, therefore, since the House last sat, resigned his office. The hon. gentleman then proceeded to repel in detail the charges which had been made against him, and concluded by saying: "I trust I have made an explanation which will not be deemed unsatisfactory by the House. I have only to add that if any doubts still remain in the minds of any hon. members, I am not only ready, but I invite them to give expression to those doubts, and to enable me at once completely to satisfy them and to answer any questions that they may have to put to me. Meanwhile I leave this question, and throw myself upon the House, and, I may add, upon my countrymen, with reference to a matter involving that which is every man's dearest inheritance, an unblemished character and a fair name."

Viscount Palmerston said:—"Sir, my hon. friend reminded the House that on a former occasion when he tendered his resignation, I declined to accept it, and asked him to continue in office. Upon the present occasion, as my hon. friend stated, he has left me no option. I can only say that I am convinced that the motives which led my hon. friend to take that peremptory decision were highly honourable to him. I have no doubt that he thought, having such an explanation to make as he has now made, and which I am persuaded the House will think perfectly and entirely satisfactory, that the explanation would come from him with a better grace, and with more effect while holding an independent position than if he made it from the bench on which we now sit. With regard to those insinuations and aspersions to which he has referred, I can only say that with him I repudiate them with disdain. I am firmly convinced, and I am sure all those who know my hon. friend must be equally convinced, that any charge of implication in these odious proceedings—which charge, I think, has been basely thrown out against him—is altogether unsupported by proof, and is utterly devoid of foundation."

The vacancy occasioned by Mr. Stansfeld's retirement was soon after supplied by the appointment of Mr. Childers, M.P. for Pontefract.

The increase of the Civil Service and Miscellaneous Estimates, which had of late years attracted much observation and criticism, formed the subject of a debate in the House of Commons, upon a Resolution proposed by Mr. Marsh, affirming the fact of a considerable increase and the duty of reducing the amount. Mr. Marsh observed that between the years 1835 and 1863 these Estimates had acquired an augmentation of 5,412,000*l.*, a sum that would furnish the means of a very sensible reduction of the taxation of the country. He considered that the nation did not get a full equivalent for the increase in this branch of our expenditure; that nothing but necessity would warrant it. He analyzed the Estimates, and suggested instances in which that rule was not observed, as in the matter of compensations for loss of offices, and in some cases of superannuations. He objected to the large sum paid out of the Imperial Exchequer for the Irish police, and to the increasing expenditure for Science and Art, which in his opinion would thrive better without Government encouragement, and if left to take care of themselves. Too much, he thought, was expended by the Government upon education, the vote having risen from 65,000*l.* in 1835 to 1,110,000*l.* in 1863. Under the present system of education, although the material condition of the people had been greatly ameliorated, their moral condition had not improved so much as it ought to have done. A needless expenditure, too, he believed, was incurred for the suppression of the slave trade.

Mr. F. Peel, Secretary to the Treasury, said he was not surprised that Mr. Marsh should desire to see the amount of these Estimates reduced, and no doubt, if his views could be carried out, the Civil Service Estimates might be very greatly diminished indeed. But he could not think that the House would adopt those views without considerable hesitation and without much discussion. His answer to the motion was, that much of the increase in the Civil Service Estimates was more apparent than real, and that, so far from its being a matter of regret, it should be viewed with satisfaction, since it arose from the carrying out of the principle of bringing as much as possible of the expenditure of the country under the eye of Parliament. He then explained in much detail the transfers of charge which had been made from other branches of the revenue account to the Civil Service Estimates, and other arrangements in the public accounts, which, while they relieved other heads of the expenditure, or enhanced the apparent produce of the revenue, augmented the Civil Service charges; showing, as he proceeded, the actual sum of each transfer, and the charge thrown by each new financial arrangement upon the Civil Service, the aggregate amount leaving only 600,000*l.* as the debateable increase of these Estimates, part of which arose from exceptional charges.

After some further discussion, Mr. Marsh withdrew his motion.

Shortly before the close of the Session, an important debate



took place upon a motion proposed by Mr. Cobden, which raised in a definite form the question which in the course of the discussion of the Estimates had been repeatedly canvassed as to the management and economy of the manufacturing establishments conducted by the Government for the public service, especially with reference to the construction of guns and armaments for military and naval purposes. The Resolution to which Mr. Cobden sought to obtain the assent of the House of Commons was this:—"That the recent great extension of Government manufacturing establishments calls for the attention of the Government. That it is expedient that steps be forthwith taken to place each separate establishment as nearly as possible on the footing of a private manufacturing concern or a public company, by taking a valuation of the fixed and floating capital employed, including the value of the land, and that upon this basis there be an annual stock-taking; when, after making all the customary deductions for depreciation of buildings, machinery, and plant, interest of capital, rates and taxes, and other charges, such a price be charged to the Government departments for articles supplied as shall preserve the capital intact; and that these accounts, with a balance-sheet, be laid annually on the table of this House."

In advocating this Resolution, Mr. Cobden referred to the report of a Committee of Finance, made in 1828, which contained the arguments used by public departments against contracts by competition, and in favour of works constructed by the Government, and he said, that although for twenty years the doctrine of unrestricted competition had been acted upon in all other matters, the gigantic monopolies of these departments were still continued. The hon. gentleman then referred to the constant repetition of the manufacturing of articles the use of which had been superseded by the progress of science, and he cited instances of the losses thereby sustained. The evidence showed that we had made 2500 or 3000 guns on the principle of Sir W. Armstrong, "And," said the hon. gentleman, "there is a confession of an expenditure of 2,500,000*l.*, though I believe it was much more. It is admitted that 100 of the largest guns were made before the experiments were entered upon. And that there may be no cavilling as to the result, I will refer to the declaration of the Duke of Somerset, after 3000 guns had been made, that the whole science of naval gunnery was in its infancy, and that the Government had nothing better for close quarters than the old 68-pounder; and the Committee reported that the 68-pounder was the most effective gun against iron-clads." The preponderance of evidence before the Committee was against the breech-loading system for large guns. They recommended that experiments should be made, and that the accounts of the Woolwich gun factory should be kept in an intelligible manner. Admiral Halsted declared the result to be, that the largest and most costly fleet in the world was without any guns fit for the special warfare of the day, and had special guns



which were fit for no warfare whatever. Was this a satisfactory state of things, after spending 3,000,000*l.* and manufacturing 3000 guns? The hon. gentleman then referred to the recent great extension of the Government manufacturing establishments, and in doing so, enforced the principle that the Government ought not to be allowed to set up such establishments for the production of articles that could be purchased in the open market, and that when they had unfortunately got into a false system they should endeavour as far as possible to retrace their steps. With regard to the functions of the House of Commons in reference to this matter, he was of opinion that it might interfere with very great advantage, in prescribing the principle upon which the Executive should act, but that beyond that the House was impotent. He argued that the Government, especially in the manufacture of guns, could not place themselves in the position of a buyer, and do the work in a common-sense and judicious way; and that, if they were incompetent to purchase goods in the market, it was absurd to suppose that they were competent to produce them. He condemned the present system as altogether unsound, as being unaccompanied by any sense of responsibility, or those prudential motives which influenced the conduct of private individuals, and as impossible to be carried out with economy or advantage to the nation. He also complained that the system was characterized by neglect and mismanagement, and urged that thorough reform was imperatively necessary. After a comprehensive review of the system now acted upon and of the waste of money, and the inefficiency of value obtained for it, Mr. Cobden said: "I shall conclude with a remark touching the present position of this country, in regard to its armaments. I consider that what has been done, with respect to the Armstrong guns and our armaments has been a disgrace to the country. You have disgraced the country by undertaking that which you should not have undertaken, and by then doing it in an inefficient manner. Remember, we are governed by a very narrow class—I allude to the *personnel* of administration. I do not complain of that, for our mercantile community do not seem to send in their young men to compete. I merely mention it as a fact; but bear in mind that you may one day find yourselves in such a difficulty, in consequence of your mismanagement of your guns and armaments, as may expose you to a serious dilemma. I cannot imagine any thing more calculated to irritate this proud and combative people, more likely to produce a democratic revolution, than if we were to find ourselves sacrificed in the matter of our defences, by the classes who have so long monopolized the administration of the country. You have brought this dilemma upon yourselves by becoming producers, and what I advise you is, at once to hand over your work to private producers. By doing so you will be absolved from a perilous responsibility. If you want great guns, rifles, iron hulls for ships, let it be known that you want them, and you will get them from private manufacturers;

or, if you fail, you will at least be absolved from your exclusive responsibility. You will say to the trading and manufacturing community, 'We are one with you, and we must rise or fall, flourish or fade, together, according to the energy, and zeal, and patriotism, that may be displayed alike by the governing classes, and the trade and industry of the country.'"

Colonel Barttelot, who seconded the motion, expressed his opinion that the Government, rather than the House, was blameable for disregard of economy. Sir M. Peto, Mr. Laird, and Mr. White advocated the motion. On the other side were several speakers, connected with the existing or preceding Governments, who strongly controverted Mr. Cobden's views and the accuracy of his calculations. Among these were Mr. Correy, who had held office under Lord Derby's Government, and Mr. Monsell, who asserted that the establishments at Woolwich conduced to the honour, dignity, and safety of the country. He stated also, that the Enfield Small Arms Factory had been a complete success, and that in the course of a few years, the profits of the manufacture (which Mr. Cobden had left out of his calculation) paid the whole of the expenses. General Peel disputed Mr. Cobden's assertion, that the Armstrong gun had been a failure. Lord C. Paget stated that the reports from New Zealand of the practical efficiency of the gun were very favourable. Mr. Childers, one of the Lords of the Admiralty, controverted the application of the proposed reduction to the naval service. Mr. Cobden had argued that the Government ought to repair, but not to manufacture, in the dockyards, which ought in future to be only repairing establishments. Now, at present, a very large amount of the materials and fittings of a ship—the armour-plates, the engines and boilers—were not manufactured in the Government yards, but were purchased in the open market. He assigned reasons why it would not be safe or expedient to depend entirely and exclusively upon private yards for our navy.

The Marquis of Hartington took up the same argument in regard to the army. After remarking that the Government had spent less upon their manufacturing establishments last year than in former years, he adverted to the difficulty of protecting the interests of the public, in dealing with contractors. He defended the Government military manufacturing establishments, and explained the nature and objects of the Pimlico establishment. He observed that the Government were most anxious to secure accuracy in the accounts of the establishments, and that he was glad on that account that the subject had been brought forward.

Mr. Cobden's motion did not proceed to a division.

As in former years, provision was made in the present Session for carrying on the fortifications of the arsenals and dockyards which had been sanctioned by Parliament. The Marquis of Hartington moved Resolutions, providing a further sum of 650,000*l.* for the construction of works for the defence of these establishments,

and the ports of Dover and Portland, as well as for the erection of a central arsenal, to be charged upon the Consolidated Fund, the Commissioners of the Treasury being authorized to raise the amount by annuities for thirty years. The Resolution was adopted without any difference of opinion.

## CHAPTER IV.

FOREIGN AFFAIRS—Superior interest of foreign as compared with domestic politics in the present year—Debates on international relations the most exciting of the Session—The controversy respecting Schleswig-Holstein occupies the largest share of public attention—Recapitulation of the leading events and attitude of the contending Powers—Part taken by England in the controversy—Diplomatic negotiations and their results—The Danö-German question is the subject of continual questions and comments in both Houses of Parliament—Explanations given from time to time by Earl Russell and Lord Palmerston—Progress of affairs in the Duchies—Evacuation of the Dannewerke—Conference held in London between the representatives of the leading Powers—Remarks of the Earl of Derby on these events—Resolution proposed in the House of Lords by Lord Campbell—Debate and withdrawal of motion—Mr. B. Osborne brings forward a Resolution in the Commons—Mr. Disraeli moves the previous question and the Resolution is not put—The Conference of London—Suspension of hostilities at the seat of war during its deliberations—After a protracted sitting the Conference terminates without result—Statements by Earl Russell and Viscount Palmerston in the two Houses respecting the debates and proceedings of the Conference—The Opposition leaders give notice of a vote of censure upon the Ministers on account of the failure of their policy—Great debates in both Houses—Resolution moved in the Upper House by the Earl of Malmesbury, pronouncing a censure upon the Government, is carried after a debate by a majority of nine—A similar Resolution is moved in the House of Commons by Mr. Disraeli—His speech, and answer of the Chancellor of the Exchequer—The debate is continued for four nights by adjournment—Summary of the arguments urged by the leading speakers—Policy of non-interference advocated by Mr. Cobden—Amendments moved by Mr. Newdegate and Mr. A. W. Kinglake—The Resolution moved by Mr. Disraeli is rejected on a division by a majority of eighteen—Effect of this division in strengthening the Government.

It has been already stated that foreign politics furnished much more exciting topics of Parliamentary discussion in the Session of 1864, than domestic affairs. It was the former class of questions that produced the most interesting debates, that tested the strength of parties, and finally brought the fate of the Administration to the issue of a vote just before the termination of the Session. Among the transactions which engaged the attention of Parliament in reference to our foreign relations were the recent operations of our naval force in Japan, the civil war in China, in which we had also taken some part, the obstinate and protracted contest between the Federal and Confederate States in America, and the petty operations, inglorious in their results, but costly in the lives of brave men, against a tribe of savages in Ashantee, and our own insurgent



subjects in New Zealand. But that which excited by far the greatest interest in England, and gave occasion to repeated and animated discussions in both Houses of Parliament, was the controversy between Denmark and the German Powers respecting the Duchies of Schleswig and Holstein—a controversy in which England herself was very nearly being embroiled, and from which, though it did not actually involve her in war, she did not emerge without reflection being made in some quarters upon her honour. From the beginning to the end of the present Session the varying course of events in the Duchies, as well as the diplomatic negotiations which were proceeding in London, formed the subject of a sort of running comment in Parliament; continual inquiries being addressed to the Ministers for information, incidental discussions being raised as every fresh incident in the struggle became known, and the whole policy of our Government in reference to the question being thoroughly canvassed in a formal debate before the Houses separated. The history of the transactions of this year, both military and political, connected with the Dano-German controversy, will be found related in detail in another part of this volume: we shall only refer to them here so far as may be necessary to make the proceedings in Parliament intelligible with reference to the particular occurrences which came under debate.

At the beginning of the year Germany was still formally at peace with Denmark. On the last day of 1863 the Prince of Augustenburg was received at Kiel by the Commissioners who administered the Federal Execution in Holstein. The Danes had, by the advice of the English Government, withdrawn from a province which they had neither the legal right to defend against the representatives of the Diet nor the physical power to hold. If their relative weakness had been better understood, they would have been advised also to evacuate Schleswig, and they would have accepted the comparatively moderate terms which were still offered by the great Powers. During the early part of January, Austria and Prussia were denounced by the Liberal party throughout Germany as enemies of the national cause. At that time both the great Powers recognized the rights of Christian IX. to the entire Danish monarchy, under the Treaty of 1852. They demanded from Denmark the immediate repeal of the common Constitution of the Kingdom and of Schleswig, and they proposed to the Diet that in case of refusal the Duchy should be occupied as a guarantee for the required concession. The minor States, under the guidance of the Saxon Minister, Baron Beust, insisted on immediate war, and, for the first time since the creation of the Confederacy, they outvoted Austria and Prussia in the Diet. The vote of the Diet determined both the Great Powers to assert their political supremacy in Germany, and in the course of a fortnight they concentrated on the frontier of Schleswig a powerful army, which crossed the Eider on the last day of January. After a few skirmishes the Danish troops evacuated the celebrated line of the Dannewerke, falling



back upon the fortified position of Düppel, opposite the little island of Alsén. The Austrian Generals, who had taken the chief part in the opening combats of the campaign, proceeded to occupy the northern portion of Schleswig and a part of Jutland, while the Prussians, aided by an Austrian contingent, formed the siege of Düppel.

Such was the position of affairs when the Session of Parliament commenced. On the 8th of February Viscount Palmerston, in answer to questions from Lord Robert Cecil, said that our Government had remonstrated with the Prussian and Austrian Governments on their proceedings in Holstein and Schleswig in regard to the Duke of Augustenburg, which were inconsistent with the good faith by which under the Treaty of 1852 they were bound to maintain the integrity of Denmark. The Prussian Government had stated that they disapproved of the proceedings in Schleswig, and orders had been issued from Berlin to put matters right. With regard to Holstein that Duchy was occupied by troops acting under the authority of the Diet, and therefore not under immediate authority of the King of Prussia. The Prussian Government had not denied the positive declaration that they intended to abide by the Treaty of 1852. The meaning of the despatch was not very clear, but the conclusion of it implied that whatever questions might arise, the Prussian and Austrian Governments were prepared to discuss them in concert with the other parties to that Treaty. It was alleged in Berlin that if resistance were made in Schleswig it would lead to war, and that war put an end to treaties. That was a most preposterous doctrine, and if it were once established any strong Power which had an inconvenient Treaty with a weak Power would have nothing to do to free itself from that engagement but to make an unprovoked and unjustifiable attack, and then to say war had broken out, and that, therefore, they were free from the engagement. The Prussian Government had, however, subsequently announced that it would abide by the Treaty of 1852.

On the next evening the subject was revived in both Houses. In the Upper House the Earl of Malmesbury raised the question by observing that the Duke of Augustenburg had acceded to the Treaty of 1852, and his son never protested against it. They were both bound in honour to adhere to it, but he feared that our Government had allowed the question to fall from a European to a German one. He asked, first, whether in the event of the Constitution having been withdrawn, Schleswig would be evacuated. Secondly, whether the German Powers would consider the Treaty abrogated by war, and whether it would remain in force as regarded the other Powers who were parties to it, and whether Her Majesty's Government would hold Austria and Prussia to that understanding.

Earl Russell said Her Majesty's Government had always maintained that the question of Schleswig must be considered an international one. With respect to the first question, Her

Majesty's Government had no guarantee that when the Constitution was withdrawn the troops of Austria and Prussia would evacuate Schleswig; and as to the second question, he could not consider that the Treaty was abrogated by an act of war between Denmark and the German Governments, so far as the other Powers who were parties to it were concerned. The demands of the Prussian Government on Denmark were based on the Treaty of 1852, and by that act it recognized the principle of the integrity of the Danish monarchy as settled by that Treaty.

The Earl of Derby said the explanation of the noble earl was clear, and, on the whole, satisfactory. He was sorry that the Government had no guarantee from Austria and Prussia, and he trusted they would not cease to press this point on them.

In the House of Commons Mr. Disraeli asked for an explanation of Lord Palmerston's statements of the preceding day respecting the intentions of Prussia and Austria in regard to Schleswig.

Viscount Palmerston replied—What he stated was that it had been broached in Germany that if a state of war could be established between Austria and Prussia on the one hand, and Denmark on the other, that would release those two Powers from the engagements of the Treaty of 1852. He stated his opinion on that point, but he meant to imply that that doctrine was not the doctrine on which Austria and Prussia took their stand, inasmuch as they declared in the paper which was read in that and the other House of Parliament that they acknowledged the binding nature of the Treaty of 1852, and adhered to their intention of maintaining the integrity of the Danish monarchy. Therefore it was quite clear that they did not contend that their hostility with Denmark had released them from the engagements of that Treaty. That Treaty was not entered into between Austria and Prussia on the one hand, and Denmark on the other, but was an engagement which they entered into with the other great Powers who signed that Treaty, and they could not be relieved from that common engagement by any thing that might take place between them separately and Denmark. Our Government had no guarantee on the part of Austria and Prussia that they would evacuate Schleswig when the Constitution was revoked, but they had this assurance in their minds, that those Governments attached some value to their character. They entered Schleswig to enforce the demand of the revocation of the Constitution, and when that demand should have been complied with, they were bound in honour and good faith to abandon the occupation.

On the 12th of February the same noble lord stated in reply to questions, that previously to the invasion of Schleswig by Austria and Prussia, the British Government had proposed that a Protocol should be signed in London, in which Denmark should give a diplomatic engagement to Austria and Prussia, taken in the presence of the other Powers, to revoke the common Constitution as soon as the Rigsraad could be assembled, and the proposal could be

made. England proposed to give no guarantee other than being a witness to the engagement, which would have been more binding upon Denmark than a simple assertion made on her part to Austria and Prussia. Lord Palmerston also stated that Her Majesty's Government, in concert with the Governments of France, Russia, Sweden, and in concurrence, he believed, with Austria, had suggested to Prussia the expediency of an armistice between that Power and Austria and Denmark. And a few days later the noble lord said emphatically, in answer to a question put to him by Mr. Newdegate, that an invasion of Jutland by the Austrian and Prussian forces would be "an aggravation of that violent outrage and injustice which they had committed in entering Schleswig." He must, however, decline to state the course which our Government would think it proper to adopt, diplomatically or otherwise, in such a contingency.

Meantime, events on the scene of action did not stand still. In less than ten days from the first entry of the allies into the Duchy of Schleswig, the whole of the main land, with the exception of the fortified position of the Düppel, had fallen into their hands, and before that position the Prussians sat down to carry on a siege in form. Earl Russell, who, some time before, had vainly endeavoured to induce France, Russia, and Sweden to join with England in affording material assistance to Denmark, now directed his efforts to bring about a Conference between the representatives of the Powers concerned. His attempts were at first ineffectual, but at length, early in March, the noble lord was enabled to announce that a Conference, though without an armistice, had been assented to by the belligerents. It was appointed to meet for the first time on the 12th of April in London. Meantime, however, the allied troops had invaded Denmark proper. The Prussian troops first crossed into Jutland. This movement on their part excited considerable irritation in England, and questions were put to the Ministers in both Houses respecting it. Earl Russell stated, in answer to the Earl of Malmesbury, that Austria and Prussia had declared that the entry of their troops into Jutland was solely for strategic objects. Lord Palmerston made a similar announcement in the other House, adding that those Powers had declared that they would adhere to the Treaty of 1852, and would respect the integrity of the Danish monarchy. He stated also, in reply to Mr. Seymour Fitzgerald, that the only basis on which the Powers who signed the Treaty of 1852 could act in the impending Conference was the maintenance of the integrity of the Danish monarchy.

On the 8th of March the Earl of Derby again raised a discussion of the Danish question in the House of Lords. He referred to the incidents of the war in Schleswig, the dismantling of the forts of the Dannewerke by the German forces, the removal of Danish officials, the prohibition of the use of the Danish language in the Duchy, and the invasion of Jutland. These acts, he contended, went beyond an occupation of the territory, and had changed the



character of the war. He desired further information from the Government. Earl Russell declined to produce the diplomatic correspondence while negotiations were still in progress, and he stated the different reasons which had been given by the German Powers for the advance of their forces into Jutland. Viscount Stratford de Redcliffe expressed his opinion that before Parliament adjourned for Easter the Government ought to make a declaration of the policy they intended to pursue. The Earls of Ellenborough, Grey, and Harrowby addressed the House, and protested against the conduct pursued towards Denmark by the German Powers. Lord Shaftesbury having referred to a recent movement of the Austrian fleet towards the Baltic, and having said that a British fleet ought to be sent thither to watch them, Earl Russell used the following language:—"All he could say was, that Ministers would consult according to their own opinions the honour and interest of the country. But they would not make a war when the safety, interest, integrity, and independence of Denmark could be secured otherwise, and they would not neglect any means by which that security and independence could be maintained. With regard to the question put to him by his noble friend respecting the fleet, he had to state that it had been ordered to one of the home ports, where it was within reach, and instructions might at once be conveyed to it if that were necessary, and he should not expect that any fleet of Austria or Prussia would venture to encounter the squadron of Her Majesty."

On the 9th of April the policy of the Government on the Dano-German question was made the subject of a formal motion proposed by Lord Campbell, upon which a regular debate took place. The Resolution proposed by the noble lord, and which could in no sense be regarded as a party motion, was in these terms: "That, in the opinion of this House, if the demand made by Denmark for mediation, according to the principle laid down in the Protocol of Paris in 1856, had been more decidedly supported by Her Majesty's Government, the bloodshed and the other evils already occasioned by the war in Denmark might have been prevented, and there would have been less danger than there now was of a more extensive disturbance of the peace of Europe; and that a Conference upon the Danish question, in order to lead to a practical result, ought to be accompanied by such steps as might convince the Powers of Europe that Her Majesty's Government adhered to the Treaties in which the Duchy of Schleswig had been guaranteed to Denmark by Great Britain." He believed that the Conference about to be held abounded in the elements of failure, and asked whether it was to be supposed that the obligations of this country would be satisfied by an unsuccessful Conference. Already our diplomacy had undergone a series of reverses on this subject, and surely we could hardly afford another that would be so cruelly disappointing to the Danes. If the Conference separated without any satisfactory result, there could



not be a second, and the peace and tranquillity of Europe would be placed in imminent danger. The noble lord also observed that he thought a British fleet might be usefully employed in the Little Belt in order to guard the Island of Funen from aggression.

The Duke of Argyll said the noble lord appeared to intimate that we could have prevented the war by threatening to take part in it. But such threat, so far from preventing the war, might have increased the bloodshed. He (the Duke of Argyll) regarded this war as wholly unjustifiable, inasmuch as every object could have been obtained by negotiation. Admitting that the Danes had left unfulfilled some promises made to Germany in the Treaty of 1852, it was quite certain Germany had not on its side observed its pledges to Denmark. It had been the policy of the Government to obtain a fair settlement of all these disputes, and to prevent bloodshed; and in that policy he believed they had the approval of the nation.

Earl Grey referred to the circumstances under which the new Danish Constitution of last year was passed by the Legislature, the death of the King, the assent given to the Constitution by his successor, and the protest presented by the Government of Prussia against it, to show that the object of Germany was to fix on Denmark a quarrel she should not be able to avoid. The Danish Government was induced by England at last to revoke this law. This course was fair enough if we intended to support Denmark afterwards, but to give the advice without the intention of supporting her was neither just nor generous. It would have been far better for Denmark had we abstained from all interference and imitated the dignified conduct of France. He contended that England might have interposed much more effectively by sending a force into the Eider, without the danger of exciting a war, as the great German Powers, Austria especially, knew perfectly well the consequences it would produce. Such a course would have put a stop to the German aggression. He strongly denounced the spirit in which the war was carried on, and asked how far it was to be permitted to go.

Earl Russell thought the Government was arraigned, not for having failed to prevent a war, but for not having joined in one. The gravest charge made against them was, that England was not now at war. He defended the course he had taken, in urging Denmark to fulfil the engagements it had made to Germany, and asserted it would have been most unwise for England to enter into hostilities with Germany without the aid of France, Russia, and Sweden. They were equally parties to the Treaty, and England was not bound to act alone. The course recommended by Lord Grey would have excited a general war in Europe in the name of peace. He believed the country was glad it had not been adopted. As to the whole question, he thought the present prosperity and magnificent position of England ought not to be en-

dangered, unless great and mighty interests were at stake; and, considering the enormous amount of the public debt, chiefly created by foreign wars, he thought a policy less likely to involve the nation in foreign quarrels ought to be approved.

The Earl of Derby regretted that Lord Campbell had not given notice of his motion on such a subject, and presumed that his Resolution rather expressed his own individual convictions than the opinions of the House. He had himself gone through the dreary waste of the papers, and had been struck with admiration at the untiring perseverance with which Lord Russell had continued to make the same representations without any approach to a result. As to the conduct of the German Powers, he ascribed it to the pressure of a revolutionary party on the minor States, and the jealousies of Austria and Prussia, each fearing that the other might obtain the lead in Germany if it headed the movement alone. He examined the Constitution Denmark was required to grant for the Duchies, and pronounced it unfair and inequitable, whatever might have been the technical interpretation of the engagements Denmark had given. He read several extracts from the correspondence, to prove that the language of Lord Russell had held out to Denmark expectations of support that he had no intention of giving. He hoped some assurance would be given that the Prussian army had not brought on itself the ineffaceable stain of bombarding a defenceless town, as reported. Doing full justice to Lord Russell's motives and intentions, he regretted his policy should have tended to confirm the too prevalent opinion, that England was so bound by regard for her material interests that she could in no case act so as to maintain her character as a great Power.

Earl Russell said he understood that the Prussian commander had given a general notice that Sonderborg would be considered part of the fortified position of Düppel. But the inhabitants ought to have had a special notice of twenty-four hours.

Lord Campbell's Resolution was then withdrawn.

A few days after the date of the above discussion, the redoubts of Düppel were carried by assault, and the remnant of the Danes retreated to Sonderborg, which the Prussians did not deem themselves yet in a position to attack. The first meeting of the Conference in London was deferred, in consequence of the non-arrival of the plenipotentiary of the Diet, to the 20th of April, and the proceedings did not actually commence until the 25th. On the 19th, Mr. B. Osborne originated a debate in the House of Commons upon the much-vexed question of the title to the Duchies and the merits of the Treaty of London, into which he entered very fully, and with much ability. Inviting the House to resolve "That it was unjust and inexpedient to insist on the provisions of the Treaty of London, 1852, so far as they related to the order of succession in the Duchies of Schleswig and Holstein, as a basis for the settlement of the Dano-German dispute," Mr. Osborne descanted

upon the foreign policy of Her Majesty's Government with reference to the Schleswig-Holstein question, and said the *prestige* of England had been seriously influenced by our Foreign Minister having led Denmark to believe that if she resisted the demands of the German Powers she would receive material assistance from Great Britain, and was calculated to plunge the country into war. Alluding to the conduct of Denmark, he also observed that, whilst all our sympathies were naturally enlisted on the side of that gallant little State battling against overpowering odds, it could not be denied that she had availed herself of her weakness to systematically evade her solemn engagements, whilst her treatment of the Duchies had been marked by the most arbitrary and tyrannical pleas.

Mr. Peacocke moved as an amendment, "That this House, without expressing any opinion as to how it had been carried out, approved the avowed policy of the Government in maintaining the Treaty of London of 1852, and in calling on the Danish Government to fulfil the promises which it had made to the two great German Powers in 1851-52."

Mr. Layard deprecated a discussion on questions that were on the eve of being referred to a solemn Conference of the Powers, and charged Mr. Osborne with having misrepresented the acts and policy of Ministers. He denied that the Government had made any promises of material support to Denmark, and referred in justification of his assertion to the admission by the Danish Minister that England had only promised her sympathy. As to the war in Denmark, our Government had done its utmost to localize it, and but for the influence which England exercised, there might now have been a general war in Europe.

Mr. Disraeli, in moving the "previous question," said that as such a motion might be supposed to imply confidence in the foreign policy of our Government, and as he would not seek to obtain votes on false pretences, he would at the outset state that he had no confidence whatever in their policy, for especially during the last twelve months that policy had caused great anxiety in the country. There was a total want of system, and the climax of mismanagement was reached by their conduct respecting Poland, and their diplomatic communications on that subject both with France and Russia. He met the motion of Mr. Osborne with the "previous question," because there were two conditions necessary to the success of a Resolution impugning the foreign policy of the Government. These were, first, the possession by the House of all the information in the hands of the Government; and, next, that the Ministers should not be able to answer that negotiations were going on, that the House was unjustly interfering with them, and that it must take the responsibility of the consequences upon itself. Now it happened that both these conditions were absent in the present instance; it was not in his power, therefore, to bring forward the question of confidence in



the Government. But because he refrained from doing so it must not be supposed that he implied any approval of the Ministerial policy, or that he did not reserve to himself the right to take the first fitting opportunity of asking the House to pronounce its opinion on the management by the Government of foreign affairs.

Lord Palmerston said that Mr. Disraeli, whilst blaming the Government for what they had done, had not shadowed out what they ought to have done. As to Poland, the steps they had taken were in harmony with the opinion both of the House and the country, and had they pursued any other course they would have rendered themselves liable to censure. The right hon. gentleman had mentioned two reasons for not supporting the motion of Mr. Osborne, but he might have added a third, and even more potent one, namely, that Parliamentary and public opinion on the Danish question was such that upon that ground alone he could not hope for the success of any motion condemnatory of the foreign policy of the Government. Referring to the Conference, the noble lord observed that all the Powers to be represented had acknowledged the validity of the Treaty of 1852; they were, therefore, bound in honour to maintain it. Any strong opinion expressed by this House at the present moment might prejudice the Conference about to take place; and he thought that the course which the House could most usefully adopt was to concur with Mr. Disraeli's motion.

Mr. Osborne said he was willing to withdraw his Resolution, and Mr. Peacocke withdrew his amendment; the House, however, refused to allow Mr. Osborne to withdraw, and Mr. Disraeli moved the "previous question," which was agreed to, *nem. con.*

On the 6th of May it was announced in both Houses of Parliament that an agreement had been come to in the Conference between the Danish and German representatives that there should be a suspension of hostilities for one month, commencing from the 12th of May; and further, that it was understood that during the suspension no contributions should be levied by the Germans, and that all provisions should be paid for. The good faith of Prussia in observing this stipulation was, however, much distrusted in this country, and rumours were circulated that exactions were taking place in Jutland in contravention of the article in question. The Earl of Ellenborough soon afterwards took occasion to call the attention of the House of Lords to this circumstance. He said the Prussians had engaged by the terms of the armistice not to interfere with the commerce of the country or to levy any war contributions. It could scarcely be said that either of these conditions had been complied with. He attributed the conduct of Germany to the decrease of the influence of England on the Continent, and protested against the principle that the wealth and power of this country were never to be employed in the defence of right against might. He sug-



gested that our policy had been in some measure controlled by the natural prejudices of a great personage. The first two Georges had been supposed to be influenced by German feelings, but George the Third always supported a truly British policy, and such a course ought to be followed now. He therefore urged the Government, whatever difficulties it might experience, to pursue a real English policy, and concluded by asking whether the recent proceedings in Jutland had been in conformity with the engagements of the armistice.

Lord Russell said the whole facts of the case had not been ascertained with sufficient certainty for any final decision to be formed on them. He understood the Prussian Government, having received evidence that the captures of German ships and cargoes amounted in value to 90,000*l.*, ordered Marshal Wrangel to make a levy of an equal sum in the Danish province of Jutland. The noble lord also gave some details as to the contributions demanded in provisions. He defended the policy of the Government in declining to plunge England into war either for Poland or Denmark, quoting the useless sacrifices made in past wars as a warning against engaging in hostilities except in direct defence of the honour or interests of the nation. The noble lord (Ellenborough) had referred to the policy of George the Third; but it should not be forgotten that when George the Third entered into a war with America, a noble member of the Cabinet said the Americans were a parcel of cowards, and we could easily subdue them. But by that war we lost 100,000,000*l.* and thirteen colonies. So too in our efforts to destroy the French republic and to restore the monarchy, we lost 500,000,000*l.*, and oceans of blood were shed. "The noble earl," continued Lord Russell, "has also referred to another matter which he might well have spared. He has referred to the advice which Her Majesty's Ministers have given to Her Majesty. Now, however much Her Majesty, like other persons, may have been influenced by private affection—connected as she has been by marriage with a German prince—and however much she is connected by her daughter's alliance with German families, Her Majesty's great object has been to maintain, intact, the honour, the high reputation, and the interests of this country, and on every occasion Her Majesty has most willingly followed the counsels of her Ministerial advisers, and adopted the resolutions which they had come to." Therefore, for any thing that had been done Her Majesty's advisers were responsible, and if there had been any abandonment of the interests of Europe which we were bound to look to, "it (said the noble lord) is upon the head of Her Majesty's advisers that censure must fall. Let that censure be as heavy as it may, it cannot be transferred to any other quarter. We take it all upon ourselves; and for my part I am perfectly willing to be responsible."

This declaration of the noble lord was received with much cheering.

Lord Brougham said he had never known so unanimous and so

strong a feeling amongst all classes, parties, and ranks in this country upon any question of foreign or domestic policy as that which prevailed in favour of Denmark and against the Prussian Government. The frauds and cruelties of that Government had not brought it the least glory. It had pillaged and oppressed the weak, it had gained a certain accession of territory, and it had secured considerable booty; but as to glory, it had earned none.

On the 9th of June, the proceedings of the Conference still continuing, Earl Russell stated in the House of Lords that a further suspension of hostilities had been agreed upon by that body to commence from the termination of the existing armistice. Although the deliberations of the Conference had been ostensibly kept secret, and the Ministers in Parliament had declined to divulge what was taking place at its deliberations, enough transpired to induce the public to expect no advantageous result from the diplomatic negotiations. On the 17th the Secretary for Foreign Affairs admitted that in a few days one of two things would happen: either arrangements would be made for preliminaries of peace, or the negotiations would be totally broken off and the war resumed. The latter alternative prevailed. The Powers who had acted as mediators in the Conference proposed a division of the territory of Schleswig, which would have provided effectual redress for the alleged wrongs inflicted on German nationality. The scheme was accepted in principle, but it was found impossible to settle the line of demarcation, and the negotiations accordingly proved wholly abortive. The Conference dissolved itself on the 25th of June, and on the following day the Prussians crossed the Straits of Alsen, and occupied the island itself without serious opposition. From this time the Danes, who had buoyed themselves up with unfounded hopes of foreign aid, abandoned all active resistance.

It remained now for the Ministers to give a frank account to Parliament of the proceedings of the Conference which had unhappily proved abortive, and to state what course of policy they would themselves pursue in reference to the question. The Prime Minister, on the 27th of June, presented to the House of Commons the Protocols of the late Conference, and in a speech of great lucidity and frankness narrated the proceedings which had taken place between Denmark and the German Powers up to the commencement of hostilities. He then detailed the circumstances under which the Conference assembled, and the proceedings which took place thereat. The noble lord then proceeded to say: "We laboured by every possible means, in conjunction with the other neutral Powers, to bring the parties to an agreement; and we felt it as a calamity—as every body must—that war should begin again for a matter which might so easily, we think, be adjusted, and for a question not involving the existence of a nation, or of a Government, but simply relating to a comparatively small district of territory. That having unfortunately happened, it became the duty of Her Majesty's Government to consider the course which it behoved

them to adopt. We felt great sympathy for Denmark. We felt that, although she had in the beginning been in the wrong, another Sovereign had succeeded to the throne, that a different Ministry had the direction of her affairs, and that there had been manifested by acts a strong desire to set that right which had been wrong. We felt that from the beginning to the end of these last events she had been ill-used, and that might had overridden right. We knew also that the sympathies of almost the whole British nation were in favour of Denmark. We should therefore have been glad to have found it possible to recommend to our Sovereign to take part with Denmark in the approaching struggle. But, on the other hand, it was to be considered that whatever wrongs Denmark had sustained—and they were many—she had in the origin been in the wrong herself; that she had at the end, and at the very last Conference, rejected a proposal reasonable in itself, which, if it had been accepted by the two parties, would necessarily have led to a peaceful solution of the question. Her fault in that, indeed, is equally shared by her antagonists; but still in considering the position which England ought to adopt, that matter could not be left out of sight. Well, then, it was to be considered what really was the matter in dispute for which hostilities were to begin; and it did not appear that that matter was one of very great importance: it did not affect the independence of Denmark, and it went very little beyond what she herself had agreed to—it consisted simply in the question, to whom a portion of territory should belong. On the other hand, any men who were considering what advice in a very important European question—for I do not disguise its importance—should be given to their Sovereign and recommended to Parliament, could not possibly lose sight of the magnitude of the object—the magnitude of the resistance which would have to be overcome, and the comparative means which England and its supposed antagonist would have to bring to bear upon the contest. It had been ascertained early in these transactions that France, for reasons of which she was entitled to be the judge, had declined to take any active measures in support of Denmark, and we knew that that disposition still continued unchanged. We had ascertained that Russia, for reasons of which she also was entitled to be the judge, was not inclined to take any active measures in support of Denmark. The whole brunt, therefore, of the effort to dislodge the German troops, and those who might come to their assistance from Schleswig and Holstein, would fall upon this country alone. Well, we have not thought it consistent with our duty to give our Sovereign advice to undertake such an enterprise. We know the honourable sympathy which the people of this country feel for the unhappy condition of Denmark; but at the same time we do not feel it to be consistent with our duty to recommend to Parliament and the country to make this great exertion, and to undergo the great sacrifices which must be the consequence of entering into such a



conflict with the whole of Germany. I assume that in the present state of things upon which our decision is made, the real contest lies between Germany and Denmark, with regard to—I am afraid I can hardly say, that part of Schleswig in dispute, because it is impossible to say that the dispute may not apply to the whole of Schleswig. It would be more honourable on the part of Germany to be content with that which they demanded; but we knew that strength and success frequently carry men beyond that line which, on cooler reflection, they might have been disposed to insist upon. Still the conflict is as regards Schleswig, and not as regards the independence of Denmark or the capital of the Danish monarchy. I do not mean to say—and I think it right to put in that reservation—I do not mean to say that if the war should assume a different character, if the existence of Denmark as an independent Power in Europe should be at stake, if we had reason to expect we should see at Copenhagen the horrors of a town taken by assault—the destruction of property, the sacrifice of the lives not only of its defenders but of its peaceful inhabitants, the confiscation which would arise, the capture of the Sovereign as a prisoner of war, or events of that kind—I do not mean to say that if any of these events were likely to happen, the position of this country might not possibly be a fit subject for reconsideration, or that other counsel might not properly be taken. But this I say on the part of Her Majesty's Government, that if any change of policy were thought desirable, such a change would be communicated to Parliament if Parliament were sitting, and if Parliament were not sitting, the earliest opportunity would be taken of asking its judgment. I have to apologize to the House for having gone into this subject in so much detail. It is not my wish to provoke discussion. My desire was to explain the matter as fully as I could. All the events which took place before the Conference are already recorded in the papers which were laid before Parliament some time ago; the remaining papers will be in the hands of members to-morrow; and therefore every member will, by looking at those documents, be capable of forming a proper judgment as to the conduct of Her Majesty's Government."

Mr. Disraeli said the present was not a fit occasion for a general discussion. But he would remind the House that it was not responsible for the result of the negotiation. It had expressed no opinion on the subject since last Session. He in last Session condemned the course of the Ministry, and if the papers had been duly laid on the table, the House might have been able to give judgment. The Conference had met before this was done—called, not by the neutral Powers, but by one neutral Power, Great Britain—and having met, he had himself on one occasion interposed to prevent an opinion being expressed during its sitting. The Conference met without a basis, and had separated without a result. Until now the House, with its usual judgment and respect for the prerogative of the Crown and the functions of Ministers, had been silent;



now he thought it would not be consistent with its duty to be silent any longer, and he should take the earliest opportunity of asking the opinion of the House. He should have said no more, but he could not allow the closing remarks of the noble lord to pass without notice. It was altogether a new doctrine that the islands of Denmark alone were necessary to the balance of power, and ought to be defended by England. If that were so, how was it that the possession of Schleswig and Holstein, in the hands of Denmark, was stated to be necessary to the balance of power in Europe? It appeared there was still a possibility of war being suddenly entered upon. He could only look on this as a continuation of those senseless and spiritless menaces by which Her Majesty's Government had lowered the influence of England in the councils of Europe. He should prefer that the foreign policy of this country should be conducted by Mr. Cobden and Mr. Bright, for the result would have been the same as in the hands of Her Majesty's Government, while they would not have lured on Denmark by fallacious hopes, and exasperated the German Powers by exaggerated expressions of menace and condemnation of their conduct. As matters now stood it was not certain that peace was secured, nor whether a policy of action would not yet be entered upon which, if it was to be adopted, ought to have been adopted long ago.

A similar statement was made by Earl Russell on the same evening in the House of Lords. So far as regarded his statement of the views and policy of Government, the Foreign Secretary's course of remark coincided closely with that of the Prime Minister. Lord Russell's narrative of the actual debates and proceedings of the Conference, however, in which he himself took part, will conveniently find a place here. He had asked the Prussian and Austrian Governments, he said, on the 10th of May, to declare what it was they demanded in the interests of peace. The Austrian plenipotentiary declared that Austria and Prussia wanted a declaration which would assure to the Duchies an absolute guarantee against any foreign oppression, and thus exclude for the future any subject of dispute, revolution, or war, and give to Germany that security in the north which she required in order not to fall periodically into that state of things which had brought on the present war—and that this security could only be found in the complete independence of the two Duchies. Now the phrase, "guaranteed against foreign oppression," meant the oppression of the Government of the King of Denmark, who was *de facto* and *de jure* the Duke of Holstein, and his Government, if it was oppressive, could only be a domestic oppression. All the neutral plenipotentiaries were at a loss to know what this meant, and they asked who was to be the Sovereign of the Duchies to be thus governed? The German plenipotentiaries replied that this was a question to be decided by the Diet; and at a meeting of the Conference on the 17th May, Austria and Prussia declared they would no longer acknowledge the King of Denmark as sovereign of the

Duchies, and that the Duchies ought to be placed under the Prince of Augustenburg, the rightful heir; and that that declaration would be hailed throughout Germany, and would meet the wishes of the German people. After this the neutral plenipotentiaries met at his (Earl Russell's) private house to consider the matter, and they all declared that it was useless to propose that the two Duchies should remain under the King of Denmark. It was obvious, unless they were all prepared to carry on a great war for the purpose, that after the hostilities that had taken place, and after the declarations made by the German Powers, if any thing like a personal union took place, there would have been a declaration by the Duchies and by the German Confederation, supported by Austria and Prussia, that the Prince of Augustenburg was Sovereign of the Duchies, and that if the Danish troops entered to dispute their possession, they would be opposed by Austria, Prussia, and the whole Confederation. Therefore the neutral plenipotentiaries could only propose something of a diplomatic nature which they thought likely to be accepted. They therefore proposed that the King of Denmark should give up Holstein and the south of Schleswig as far as the Schlei, and that the boundary should be drawn on the line of the Schlei, and from that along the Dannewerke, and that the European Powers should give a general guarantee for the rest of the Danish monarchy. The Danish representative accepted that proposition, provided that perfect security were guaranteed for the remainder of the Danish dominions. The German Powers agreed to the principle of dividing Schleswig, but objected to the proposed line of demarcation; and, unhappily on this, as on other questions, the German Powers, instead of taking generous and forbearing views towards a weak Power, as the French Government had urged them to do, determined to insist upon the right of conquest, and stated their intention to retain the rights acquired by arms. It had been assumed by Denmark that the proposal made by the neutral Powers for the boundary at the Schlei was an English proposal, which England was, in a certain degree, bound to maintain. But nothing of the kind was ever stated by the British plenipotentiaries, nor had Denmark a right to expect it. After the declining of this proposition, the Russian plenipotentiary declared that Russia renounced all claims to Schleswig in favour of the Duke of Aldenburg. Subsequently, the Prussian plenipotentiary suggested that his Government might agree to a boundary line from Flensburg to Tondern, but he said he did not make that suggestion with the authority of his Government. This proposition, however, fell to the ground, and another—and last proposition—was made to refer the matter to an impartial arbiter. The King of the Belgians was proposed. The Austrian and Prussian Powers replied that they could not accept the decision of a friendly Power as final, but they would accept the good offices of the King of the Belgians, and they asked for a long period of armistice, and the continued suspension of Danish naval operations.

Now it appeared to the neutral Powers that such continued suspension of naval operations would favour the action of the German Confederation, and that if the decision of the arbiter did not go to the full extent of their demands they might refuse it. But the plenipotentiary of the Confederation said they would not accept of any arbitration. He (Earl Russell) was sorry to say that the refusal of the good offices of a friendly Power was not straight-forwardly declared; but it was a refusal couched in terms analogous to those used by the German Powers from the beginning, when they professed to enter Holstein as a simple measure of Federal execution, and afterwards proceeded to occupy Jutland. The French plenipotentiary then—as all other means had failed—proposed to leave the German part of Schleswig to Germany, and the Danish part to Denmark, and that the intervening portion of Denmark, peopled by a mixture of Danes and Germans, should be allowed to decide by votes taken in each commune,—the Prussian troops meanwhile being withdrawn,—whether such part should adhere to Denmark or to Germany. It was, however, the well-founded opinion of Denmark that the recent occupation and the German agitation in that portion of Schleswig had produced an effect which would be detrimental to Denmark in adopting the course proposed, and the proposal was withdrawn. The noble earl having narrated the progress of the Conference up to its close, proceeded to say that at the last meeting of the Conference the Austrian Minister declared that it was not intended to carry on hostilities for the purpose of obtaining possession of territory beyond the Duchies of Schleswig and Holstein; but Her Majesty's Government could not accept that declaration as one upon which they could implicitly rely, considering the numerous breaches of faith which the German Powers had already committed.

The Earl of Derby said he agreed as to the propriety of abstaining from a partial and consequently inconclusive discussion at the present moment on this most important matter; but he felt bound to say that the Conference had ended just as he had expected. From its commencement it had been a doomed assembly. The British Government seemed now earnestly to desire the maintenance of the peace of Europe, whereas the whole of their policy had hitherto been utterly inconsistent with that object. It would be the duty of Parliament and the country shortly to decide whether Ministers had preserved inviolate the honour of England, and whether the Continental difficulties which had arisen were not in great measure owing to their weak and vacillating policy. The Foreign Secretary had spoken of contingencies which might warrant this country in embarking in war. What were those contingencies? Was the bombardment of Copenhagen one of them? Or how far would the noble earl consent to be driven before he would be prepared to depart from the prudent resolve he had just announced?

It was now the turn of the Opposition party to declare their



views as to the policy and conduct of the Queen's Government in reference to the Dano-German struggle; and as that policy had certainly failed to secure its avowed objects—the maintenance of the peace of Europe, and the integrity of the Danish monarchy—the opponents of the Administration had a *prima facie* case in support of their allegations. There was much also in the diplomatic correspondence which had been carried on for a long period between our Minister and those of Foreign Powers, throughout the various phases which the controversy had assumed, which offered matters for criticism upon the judgment of those who had conducted the negotiations. The failure at all events was a palpable fact, and it was one which afforded a fair Parliamentary ground for calling the Ministers to account. Mr. Disraeli accordingly gave prompt notice that it was the intention of his friends to appeal to the judgment of Parliament upon the Ministerial conduct of the Danish negotiations.

In the first week of July a debate of great interest and importance commenced in both Houses, upon Resolutions amounting to a distinct vote of censure, which were moved by the Earl of Malmesbury in the upper, and by Mr. Disraeli in the lower House. The main interest of the conflict, however, was centred in the discussion in the Commons.

The absence of Lord Derby robbed the debate in the Lords of much of the attraction which it would otherwise have had. Early in the evening it was reported that Lord Ellenborough, too, was unable to be present, and the absence of so brilliant an orator, and one pledged so deeply to the cause of Denmark, dealt another heavy blow to the Conservative side of the debate. Political interest in a practical sense the discussion in the Lords could not well possess. The Opposition having there an undoubted majority, and the Ministry neither hoping nor fearing much about the matter, the display of the Lords was regarded as made chiefly for effect; and its effect naturally suffered severely by the absence of two of the most eloquent orators.

Lord Malmesbury in introducing his motion with strong expressions of regret for the absence of Lord Derby, on whom the task would have fallen, expressed his fear that the violation of the Treaty of 1852 had set a bad precedent, which might at any future time be quoted as an excuse for violence and wrong. The German Diet had exceeded its powers in interfering with an European treaty, by asserting the principle of nationality against it. He would express no opinion as to the future, but as to the past he believed, had the Government been firm and decided in its course, the present conflict might have been prevented. He then traced the failure of all the negotiations to the interference of Lord Russell with questions connected rather with the internal government of Denmark than its foreign relations. He had placed himself in the position both of partisan and judge between Denmark and Germany, and had therefore pleased neither party, and



destroyed his own influence as an English Minister. The Resolution which Lord Malmesbury asked the House to adopt was as follows:—"That this House has heard with deep concern that the sittings of the Conference recently held in London have been brought to a close without accomplishing the important purpose for which it was convened. That it is the opinion of this House that while the course pursued by Her Majesty's Government has failed to maintain their avowed policy of upholding the integrity and independence of Denmark, it has lowered the just influence of this country in the councils of Europe, and thereby diminished the securities for peace."

The Duke of Argyll said it was evident from Lord Malmesbury's speech, that the Resolution involved no principle, nor did it explain any policy. The discussion raised on it was a mere contest of faction. The Opposition avowed it would not have gone to war with Germany on behalf of Denmark; why, then, was not the Government justified in equally refraining from hostilities? He attributed the course taken by Denmark, in resisting the demands of Germany, in a great degree to a conviction on the part of the Danish Government that the sympathies of the country and of that House were on its side. He believed that Denmark had also speculated on a change in the Government of this country, by which it would be assisted. Instead of this, Denmark saw the Government attacked on the very ground that they had endeavoured to form an European alliance to defend it.

Lord Clanricarde regretted that, for the first time in his life, he held a different opinion from Lord Palmerston with respect to foreign policy. While he agreed that the Government had deplorably mismanaged this affair, he could not agree with the terms of the Resolution, which not only did not express the real facts of the case, but declared an opinion which the House ought not to place on record. He then moved an amendment, which was to omit the words of the proposed Resolution after the word "convened," and to insert the following:—"That this House regrets that Denmark was allowed to expect from the English Government material aid in support of the objects of the Treaty of May 1852."

Lord Clarendon said that he had not shared the responsibilities of the Government during the most active part of the negotiations, but in the outset of the affair the Government had exhibited foresight and a clear appreciation of its gravity. They had shown an honest and sincere desire to bring about an amicable settlement, in which they would have succeeded if they had been met in an equal spirit, not only by the parties directly interested, but also by the other Powers who were equally parties to the Treaty of 1852.

Lord Russell could not discover, either from the Resolution or the speeches in support of it, what was the foreign policy of the Opposition. No two speakers seemed to agree in their notions as

to how these negotiations ought to have been conducted. Lord Derby had admitted it would be wrong at any time to go to war for Denmark. Now, Lord Malmesbury thought, if the English Government had resolved on war when the German troops entered Schleswig, this conflict would have been prevented. The Treaty of 1852, though wise in its general objects, and calculated to secure peace, was an artificial one, and dependent upon conditions, the performance of which it was not in the power of England, France, and Russia to ensure. The Government had chosen and acted on one principle—that of non-intervention, to which it had strictly adhered, as in the case of Italy, and in the civil war in America.

Lord Granville felt convinced, from the course the debate had taken, that it would have a good effect on the country and remove a good deal of misapprehension. He contended that England had not lost her just influence in Europe. The complete concord between England and the neutral Powers, throughout the sittings of the Conference, was a proof that our influence was unimpaired. The taunts of the German newspapers were no evidence it had been diminished. There were parties in Europe, to whom a war would have been an advantage, but if England had entered into hostilities, she would only have been a dupe for their purposes.

The House then divided; the numbers were—

	Present.	Proxies.	Total.
Content . . . . .	119	58	177
Non-content . . . . .	123	45	168
Majority for the Resolution . . . . .			—9

This decision of the House of Lords was, however, comparatively of little weight in the face of the more important consequences involved in the debate which was at the same time proceeding in the House of Commons. In that assembly was the real “tug of war;” upon that vote depended the continuance in office or the retirement of Lord Palmerston’s Administration. The strength of parties in that House was nearly at an equipoise; it was known that the decision, whatever it might be, would be pronounced by a narrow majority, and would, in fact, turn on the votes to be given by a few Members, of whose views and intentions no certain anticipation could be formed. The debate, which was continued by adjournment for four nights, was commenced in a spirit that became the importance of the issue; both sides putting forth their strongest champions at first. Nearly all the most prominent men and ablest debaters in the House took part in the fray, and many of the speeches were such as fully sustained the reputation of the orators, and the interest of the occasion. We select out of the mass the topics principally dwelt upon by those speakers whose opinions may be taken as embodying the views of the various political parties and sections represented in the House.

Mr. Disraeli, in commencing the debate, entered very fully into a review of the transactions which had led to the present

embroilment, the circumstances attending the formation of the Treaty of 1852, and the policy of the English Government, as indicated on various occasions, by the language of Lord Palmerston and Earl Russell, in reference to the situation of Denmark. He suggested the reasons which probably induced the statesmen of Europe, in order to prevent a war of succession, to recognize the settlement effected by the treaty. England, he observed, by joining in that treaty, incurred no legal responsibility, nor any engagements, other than the obligations imposed upon France and Russia. After glancing at the controversy which grew up subsequently between the King of Denmark and the Diet of Germany, he considered the course taken by the British Government of that day, remarking that the other Powers of Europe did not interfere in that controversy. The correspondence which had encouraged the spirit and views of the German party ended in the celebrated despatch of the autumn of 1862. He referred to the oft-quoted speech of Lord Palmerston, on the 23rd of July, 1862, on the subject of the difference between Denmark and the German Powers, and on the policy of the British Government upon this question, which contained the words that (under certain circumstances) "it would not be with Denmark alone they would have to contend;" and he showed by extracts from Lord Russell's despatches, that those words expressed the real policy of the Government,—a policy which, in his opinion, was wise and judicious at that time, for Lord Palmerston knew that France was ready to co-operate with England, and had even spontaneously offered to act with us. Adverting then to the Polish insurrection, and the decision which had been come to by past Administrations upon the question of Poland, to abstain from interference, he observed that Earl Russell had announced a different policy, to the astonishment of the Emperor of the French, calling the attention of the Emperor of Russia to the six propositions, in peremptory terms. The House knew the end of all this, and the difficulty in which it placed the Emperor of the French. He was, therefore, not surprised at the change it produced in our relations with France. After this change, however, the policy of the British Government did not alter up to the end of September. In November, two great events occurred which immensely affected the aspect of the relations between Denmark and Germany. The Emperor of the French, desirous to maintain a cordial understanding with this country, proposed an European Congress. Whatever opinion might be entertained as to the expediency of a Congress, there could not be two opinions as to the mode and manner in which the proposal was met, by a most offensive reply. The other event was the death of the King of Denmark; but neither of these events altered the policy of Her Majesty's Government, as he showed from Lord Russell's despatches. It was open to them, he observed, to have adopted, after the death of the King of Denmark, the same course as other neutral Powers; and, if they had adopted



that of France, it would have been intelligible and honourable. If they stood up for the balance of power, they might have taken the management of the affairs of Denmark. But they had pursued a course unexampled in the history of this country. Notwithstanding the repeated menaces in the despatches, the Federal execution took place, as it was intended to take place; and what was the course of Her Majesty's Government? He answered this question by reading extracts from the despatches,—contrasting the mild terms of the later with the menacing spirit of the earlier despatches. Mr. Disraeli then reverted to the history of the Dano-German dispute, in connexion with the conduct of England towards Denmark, reading copious extracts from the despatches to support his argument. In bringing the narrative of events to a close, he gave a short summary of the results of the Conference, in which, he said, Her Majesty's Government had made two considerable propositions: one, the dismemberment of Denmark—so much for its integrity; the other, that Denmark should be placed under the joint guarantee of the great Powers, which would be a fertile source of war. He asked the House, in conclusion, what was its opinion of these proceedings? He insisted that the policy pursued by the Government had resulted in the portentous consequences indicated in his motion—that it had lowered the just influence of England; that the security for peace had thereby been diminished; and that the Ministers must not be allowed to escape their responsibility.

Mr. Disraeli wound up his speech in these terms: “It is not for us—it is not for any man in this House—to indicate to Ministers what should be the foreign policy of the country. The most we can do, is to tell the noble lord what is not our policy. We will not threaten, and then refuse to act. We will not lead on our allies with expectations we do not intend to fulfil. And, Sir, if it ever be the lot of myself and of those with whom I act, to carry on the important negotiations of this country, as the noble lord and his colleagues have done, I trust we shall not, at least, carry them on in such a manner, as that it will be our duty to come to Parliament and announce that we have no ally, and then to declare that England can never act alone. Sir, these are words that ought never to have escaped the lips of any British Minister. They are sentiments which ought never to have entered his heart. I repudiate and reject them. I remember that there was a time, when England had not a tithe of our resources, when, inspired by a patriotic cause, she triumphantly encountered a world in arms. And, Sir, I believe, now, if the occasion were fitting, if our independence and our honour were attacked and assailed, if our empire were endangered, I believe that England would arise in the magnificence of her might, and struggle triumphantly for those objects for which men live and nations flourish. But, Sir, I for one will never consent to go to war to extricate Ministers from the consequences of their own indiscretion; and it is in this spirit that I have



drawn up this address to the Crown. I have drawn it up in the spirit in which the Royal Speech was delivered at the commencement of the Session. I am ready to vindicate the honour of this country when it is necessary, but I have drawn it up in the interests of peace."

The Chancellor of the Exchequer rose immediately to answer Mr. Disraeli's speech, and addressed himself with all the force of his eloquence and argumentative ingenuity, to overthrow the positions of his opponent. He accepted the responsibility cast upon the Government, and was ready on their part to meet the accusations of Mr. Disraeli. He observed, that the declaration of Lord Palmerston, in July last, upon which so much stress was laid, was justifiable, for at that period France and Russia were prepared to act in the spirit of that declaration. Mr. Disraeli had stated that in December there had been a change in the policy of France; but the very despatch he had quoted disproved this statement. As to the censure he had cast upon the manner in which Lord Russell had declined the proposal for a Congress, Lord Russell, he said, was a man of truth and honour, and was in the habit of speaking his mind with very little circumlocution; and Mr. Gladstone referred to some expressions of Mr. Disraeli upon the subject of the Congress, much less courteous than those he had complained of. He noticed other instances, in which Mr. Disraeli had, he said, not quoted the documents fairly and fully, and he accused him of having misled the House by his partial quotations, and by allegations void of foundation. He showed that these misquotations and the false inferences drawn from them, affected some of the most material charges against the Government. He proceeded to examine those charges, as regarded their conduct towards Denmark, maintaining that they were entirely fallacious, if not the reverse of the truth. The policy of the Government, he observed, had been to bring Denmark to fulfil her engagements of 1852, and the Germans to moderate their views. On the accession of the present King of Denmark, the object of the Government was to maintain the Treaty of 1852, and to endeavour to bind the Powers of Europe to uphold it. But a new doctrine was promulgated by Austria and Prussia, with reference to that treaty, which, in their opinion, altered its position. Her Majesty's Government, believing that it was for the advantage of Europe to uphold that treaty, thought it their duty to endeavour to obtain the co-operation of other Powers, and rally them in support of it. These efforts failed, but the parties really responsible for the consequences of the failure, were those who first receded from the treaty. After the refusal of France and Russia, he admitted that the tone of the Government had altered. Single-handed, the interference of England would be useless. He justified the course adopted by the Government in the Conference, having to deal, among other difficulties, with the resolute determination of the Danish people not to agree to the

project of a personal union of the Duchies. Their policy, if it had failed of its immediate object, had avoided the perils of a general war in Europe. In conclusion, he turned to the motion, which he attacked with mingled argument and sarcasm. "I deny," he said, "that the just influence of England has been lowered. That is not the language which is held by allied and friendly Powers—though it is no doubt held by a certain portion of the foreign press. When I read the terms of the motion, it seems to me to be nothing better than an echo of the almost ribald language of a few obscure journals of Germany. It is from that source that this intended Minister derives his inspiration. It is from that quarter that lessons of English policy are to be learned. Unhappily, there is still in this country a narrow sect of people, who revel in the depreciation of every foreign people; it is equally true that there is a sect of people in France, who still retain what was once a national antipathy—though, thank God, it is so no longer—against this country. While there are readers of such trash there will always be writers of it, and it is upon this trash which the right hon. gentleman founds votes of want of confidence. But again, I deny that the just influence of England has been diminished by the honest efforts which we have made to teach men justice and mercy. This is the very first occasion that the British House of Commons has been called upon, for the sake of displacing a Government, to record the degradation of its country. Why cannot the right hon. gentleman speak plainly in his motion? Why does he not adopt the language of our forefathers, who, when they were dissatisfied with a Government, addressed the Crown, and prayed that that Government might be dismissed? They said boldly that the conduct of the Government was open to such and such charges, and they prayed that other men might be put in their places. But the right hon. gentleman was afraid to raise that issue. He has, indeed, plucked up courage to propose this motion; but why has he not done it in the proper constitutional form in which votes of want of confidence have hitherto been drawn? Never before, so far as I know, has party spirit led gentlemen in this country to frame a motion which places on record that which must be regarded as dishonourable to the nation. I go back to the time of Sir R. Walpole, of Lord North, and Mr. Fox, but nowhere do we find such a sterile and jejune affair as this Resolution. Then charges were written in legible and plain terms; but the right hon. gentleman substitutes language which might, indeed, be sufficient for the purpose of rendering it impossible for the Government to continue in office, but which cannot transfix them without its sting first passing through the honour of England. For the reasons I have stated, I look forward with cheerfulness to the issue which has been raised with regard to our conduct. Nay, more, I feel the most confident anticipation, that both the House and the country will approve of the course taken in this difficult negotiation by

Her Majesty's Government, and that they will reject a motion which both prudence and patriotism must alike emphatically condemn."

Both these speeches were received with great enthusiasm by the respective parties. Then came proposals, from opposite quarters of the House, of certain amendments upon the Resolution.

Mr. Newdegate moved, in lieu of the second paragraph, to insert the following:—"To submit to Her Majesty the opinion of this House that the independence of Denmark and the possessions of that kingdom, on the terms proposed by the representatives of the neutral Powers in the recent Conference, ought to be guaranteed." The reason which had determined him to propose this amendment was, he said, furnished in the distinct announcement by Lord Palmerston that if the German Powers invaded the Danish islands and besieged the capital, England would interfere.

This amendment, however, with difficulty found a seconder, and met with no support. Mr. Kinglake moved the substitution for the last paragraph of the Resolution of the following words:—"To express the satisfaction with which we have learnt that at this conjuncture Her Majesty has been advised to abstain from armed interference in the war now going on between Denmark and the German Powers." He observed that Mr. Disraeli had not said a word from which the House could understand whether or not he approved the declaration—whether he was for war or peace. The influence of England consisted in its strength, and this had not been impaired by the failure of the negotiations. He was averse from encouragement being given by strong Powers to weaker Powers to resist; and he could not find that in any instance Her Majesty's Government had advised the Danes to resist. War, he contended, would be impolitic; it was now too late, and it would be a violation of the principle of non-interference.

Lord Stanley, who spoke with much ability and moderation, denied that the Resolution was a war resolution; such a meaning had been distinctly disclaimed by Mr. Disraeli. He then replied to the speech of the Chancellor of the Exchequer, which, he observed, had been the only real defence of the Government policy which the House had heard that night. He vindicated the motion against the objections urged by Mr. Gladstone, insisting that its terms confined the Government to their justification in a single transaction, whereas on a motion of want of confidence it would embrace many points. He repudiated in the strongest terms, for himself, any intention to give to the motion a warlike sense. Admitting the policy of the Government to be one of peace, they had pursued it in such a manner as to disorder our relations with other Powers, with whom we were never upon worse terms than at present. He did not complain of the policy of the Government, he complained rather of their want of policy, whether of war or peace, which, he thought, justified a protest on the part of the House.

Another speech which produced a marked effect upon the



House was that of Mr. Cobden. It expressed with the clearness and force which characterize all his speeches the distinctive tenets of that school of politicians of which he is an acknowledged leader, on the subject of a pacific foreign policy, and the avoidance of interference with the affairs of other States. He began by commenting on the assertion embodied in the Resolution that the policy of the Government had lowered the just influence of this country in the councils of Europe. Whether this was so would depend upon our future conduct. He did not say that we stood in a very satisfactory position towards other countries; but that this would diminish the securities for peace was a question upon which he joined issue with Mr. Disraeli. Experience of the utter futility of our foreign policy, and the break-down of our diplomacy, afforded, in his opinion, the best guarantee of peace. He had been struck with the want of sagacity of our Foreign Minister, which had exposed him to rebuffs, and this country to humiliation, in all parts of the world. But there was a question beyond this. There had grown out of this debate a question of principle, connected with our external policy—namely, the dynastic engagements of our Foreign-office. What was this Treaty of 1852, of which so much was heard? A few gentlemen sat around a table and decreed the destinies of nations which were not consulted in the matter. After a short notice of the causes of the present war in Denmark, which he traced to the pressure put upon the Sovereigns of Austria and Prussia by the German population, he asked what we should have done when the two Powers invaded Schleswig-Holstein. We ought, he said, to have mediated. But what had we done? When we set up for the office of mediator we could not draw the line between mediator and partisan. There was, he observed, a party of menace in this country. “Have those who talk about war and about sending forth our fleets and armies ever considered our ability to carry out such policy? No doubt for the defence of our island home we are omnipotent. All the world united could not assail us with success. But our power to coerce military nations on the Continent is very limited indeed. It has been said, ‘Send a fleet to the Baltic. Blockade Prussian ports.’ But railways have rendered blockades practically innocuous, unless, as in America, the blockaders have the command of the internal communications of the country. It is also proposed to send an army to Germany. Let me remind you that your army is already engaged in other fields. You have at this moment upwards of 70,000 troops in India, and there are about 9000 more in depôts for keeping up that force. You have two little armies in China, separated by about a thousand miles. This year, for the first time, you have planted a detachment of troops in Japan. You have 10,000 British troops fighting somebody’s battles—I won’t say whose—in New Zealand. You have from 10,000 to 15,000 troops in British North America, committed as a point of honour to defend a frontier of 1500 miles against a country which can keep



700,000 men in the field. You have, besides these, detachments to keep up at the Cape of Good Hope and in the West Indies, and you are just emerging from a war with Ashantee; to say nothing of your garrisons at Malta, Gibraltar, and elsewhere. The world never saw such a dispersion of force as that." The time had now arrived when it was necessary to commence better principles for our future guidance. On what pretence did we interfere with Continental politics, in which we had no interest, whilst we gained nothing by our diplomatic meddling? The general excuse was stereotyped in the despatches of the Secretary of State. It was the "balance of power"—a figment supposed to have grown out of what was termed the "settlement of Vienna," but which he called the great unsettlement of Vienna. He maintained that there must be a change in the mode of conducting our relations with foreign countries. Our system of diplomacy had broken down. The Foreign-office had lost its credit abroad, and from this time we should not be able to approach a foreign Power on any question of foreign politics without being looked upon with want of consideration and mistrust, because foreign Governments felt that the real power did not reside in the Foreign-office, but in the House of Commons, and more than suspected that the Government were often playing a game with them merely to suit their position in that House.

Mr. Roebuck said he felt almost terror in approaching this subject. The Conference had met; a great ceremony had been performed; and every man seemed to have worn a mask, there appearing to be a desire among them to avoid the real matter in hand. He could understand the motion—to get the Ministers out. But he asked whether the real question had been put before them, and he proceeded to suggest and to discuss five subject-matters involved in the question—namely, Denmark, the people of the small German States, the princes of those States, Prussia, and Austria. The people of the small States of Germany had, he said, gone mad on the question of nationality, and he showed the futility of this notion; it was a farce, he observed, and a mischievous farce ending in tragedy. Each nationality should endeavour to become one, and it was the duty and interest of England to maintain an adherence to this principle. The question was the manner of doing it. He pronounced a severe condemnation upon the Foreign Department; he blamed much that the Government had done and omitted to do; but with all their faults, he would rather, he confessed, have them than those who sought their places.

Mr. Horsman observed that the motion contained two propositions—one, that the policy of the Government had failed; the second, that the failure had been so injurious to our national influence that the Government ought to be blamed. The first was admitted; the facts, in his opinion, did not justify the second. The House, he contended, had acquiesced in the policy of the Government; it had even directed that policy. He insisted that, according to constitutional principles, it was the duty of the House to

scrutinize our foreign policy as much as a bill upon a domestic subject. By holding their peace the Opposition incurred a complicity in every act of the Government, and a responsibility for the consequences. The policy of the Government was only ministerial, and if the country had been dishonoured, it was not by the Ministry, but by Parliament. After alluding to the conduct of the Opposition upon the Polish question, he discussed the doctrine of non-intervention, which meant, in his opinion, non-interference in the domestic government and the internal arrangements of other nations, and to this construction of the phrase he gave his full and unqualified assent. But Mr. Cobden's definition went a great deal further, and he (Mr. Horsman) could not consent to place this country in a state of isolation and seclusion. He then considered the position of this country in relation to the Danish question, and condemned the policy adopted by the Government as an injudicious and dangerous policy, which had plunged them into difficulties. The Treaty of 1852 was a bad measure, but the Government could not have repudiated it. They ought, however, to have proposed to the contracting Powers to annul it, and substitute a declaration binding the parties to defend Denmark. Unfortunately, they took their stand upon the treaty, and rashly plunged headlong into all the embarrassments of the question; our diplomacy was unskilful, and a stroke of Lord Russell's pen let loose an army of German fillibusters upon Denmark. He pursued the history of these transactions, pointing out, as he proceeded, what he regarded as the errors of our policy, but for which, he thought, the free soil of Denmark would never have been polluted by German troops. Then it was said the Conference had been a failure. Did not the Opposition know it would be a failure? Would it not have been better, then, to have denounced it at the time? But Mr. Disraeli not only did not originate a discussion upon the subject, but he would not allow of a discussion, but threatened to strangle a motion to raise a discussion by "the previous question." The Government, he observed, had made mistakes, but their opponents had indorsed them; so the parties were pretty much upon an equality. The motion bore upon the face of it two objects—to condemn the Government as much as possible, and to compromise their opponents as little as possible. It affirmed no principle, it enunciated no policy. He was afraid the Government had established no claim to confidence; but for the mistakes of a Government there was always an excuse. The Opposition had, however, done nothing to prevent or remedy these mistakes, but endeavoured to use them as a stepping-stone to power. Public policy did not require that at that critical moment the present Government should be displaced in order to make way for those who had shown more weakness and less courage.

Lord Robert Cecil reviewed the course of policy pursued by Earl Russell, who, he insisted, had neglected means of healing the quarrel, by arbitration or mediation, before the death of the late

King of Denmark, which took place before the Earl could make up his dilatory mind. He dwelt upon his menacing language, amounting in more than one instance, he said, to a distinct threat, and the evidence it afforded that the Government meditated resisting the Germans by England alone. The language of Lord Palmerston in July 1863, he contended, must be understood as a threat. If the considerations were sufficient to prevent England from engaging in war, they should have prevented threats, the non-fulfilment of which produced a loss of actual power that could be recovered only by future bloodshed. As to the future, if they could not save Denmark, they could rescue England from the risk of suffering similar dishonour.

Mr. Layard, Under-Secretary of State for Foreign Affairs, said it was his office to justify the conduct of the department to which he belonged, and the character of the statesman who was chiefly responsible for it; and he proceeded to enter into a searching and comprehensive review of the facts and documents bearing upon this complicated question. Earl Russell, as he should be able to show, had been greatly misrepresented and wrongfully accused by means of garbled and almost falsified extracts from the despatches. The case, he said, had never been fairly put before the House and the country, and he briefly narrated the incidents which preceded the Treaty of 1852, which was not a guarantee, but a treaty of recognition of title. This treaty had been condemned on principle; but, if founded upon a bad principle, its sole object was in the interest of peace. The only real objection to this treaty was that it was not ratified by the Germanic Diet; but among those who had applauded the treaty most were M. von Bismarck and M. von Beust, now its most prominent antagonists. He proceeded to detail the transactions subsequent to the treaty, and to justify the acts of Lord Russell since the differences arose between the German Powers and Denmark, insisting that every thing done and written by Earl Russell at their commencement had been with the entire concurrence of France. The proposals made by him at the beginning, which had been accepted by all the Powers but Denmark, would have put an end to those differences, and it was a great calamity that she had rejected them. He vindicated the supposed threat of Lord Palmerston, in July 1863, from the construction put upon the words by the other side. The language of Lord Russell had been likewise unfairly strained into menace, and he read various extracts from the Earl's despatches to show that these documents had been misapprehended and misquoted, important passages having been left out in the citations made by the critics of the Earl,—and he complained of these attempts to mislead the House. He pursued the history of the transactions from the carrying out of the execution and the entrance of the Prince of Augustenburg upon the field, and showed the course taken by Lord Russell as difficulties thickened, and pointed out other instances of suppression by his assailants of evidence in the



correspondence essential to his vindication from the charge of fulminating threats. He showed that there was as little foundation for the assertion that Denmark had been led to expect material aid from England. He defended the conduct of Lord Russell at the Conference, and again complained of misrepresentations and mystifications. After a digression into the Polish question, and a spirited attack upon the opposite benches with reference to that question, he remarked that, although Mr. Disraeli had abstained from avowing a policy, one of his party, General Peel, had stated, amidst vociferous cheering, his policy, which was no other than a war policy. He closed a very effective speech by warning the House of the consequences to our foreign policy and to the country of a change of Administration.

Mr. B. Osborne delivered a vigorous and animated speech, marked by much humour and ingenuity. He observed that the two questions before the House were the motion of Mr. Disraeli and the amendment of Mr. Newdegate. The latter had expired silently in its cradle. He was not anxious, he said, to pass a judicial sentence upon the proceedings of the Government in this Dano-German question between 1852 and 1864. He considered that their failure had to some extent involved the honour of the country, and, although he rejoiced at their return to the paths of peace, the country had no reason to be proud of the means. He was of opinion, however, that the person mainly to blame for complications and the failure was the First Minister of the Crown. After a hasty notice of the belligerent parties, in which he said Denmark had from the outset promised according to her hopes, and performed according to her fears, he came to the Conference, of which, he observed, great expectations were entertained, but which had turned out a most unfortunate and fatal failure. The speech of Mr. Cobden had laid down the true policy of this country. What had been the fruit of our interference—of our spirited foreign policy? We were isolated in Europe, and even the King of Ashantee was indifferent to our friendship. Mr. Osborne wound up a speech, which kept the House in constant merriment by its point and humour, by a whimsical description of the Palmerston Administration. “Let us see how this Ministry is constituted. There is the noble lord the First Minister. I wish to speak of him with every respect, because a more active and able man in the performance of his duty has seldom existed in this House. I may say of him, that ‘panting time toils after him in vain.’ He is certainly *facile princeps*, and is the liveliest, if not the youngest, man on the Treasury Bench. He deserves credit for his admirable management of affairs during a long course of years. He has acted with all sorts of men, and agreed with all sorts of opinions. Why, Sir, he has contrived a most extraordinary feat—he has conciliated both the Low Church and the high Tory party. The *Record* acknowledges his inspiration, and the hon. member for North Warwickshire bows to his influence. These



are great feats. But what is his policy? In his domestic policy he is paternal but stationary. His foreign policy up to this day has been pugnacious and progressive. But now he is about to achieve the most wonderful feat of his life, for he is about to go to the country as the apostle and minister of peace, and will be supported by the member for Birmingham (Mr. Bright). That is the most extraordinary feat of the whole. I do not think I have been unfair to the noble lord. Well, coming to the Cabinet, it is a museum of curiosities. There are some birds of rare and noble plumage, both alive and stuffed. But, Sir, unfortunately there is a difficulty in keeping up the breed of these Whig birds. They are a very barren breed, and it was found necessary to cross it with the famous Peelites. I will do them the justice to say that they have a very great and able Minister amongst them in the Chancellor of the Exchequer; and it is to his measures alone that they owe the little popularity and the little support they get from this Liberal party. But it cannot be said by their enemies or friends that they have been prolific in measures since they have been in office. Then there is my right hon. friend who is not connected with the Whigs by family (Mr. Gibson). He is like some 'fly in amber,' and the wonder is 'how the devil he got there.' The hon. member for Rochdale (Mr. Cobden) and the hon. member for Birmingham must have been disappointed, I think, in this 'young man from the country.' When he married into the family we expected some liberal measures from him, but the right hon. gentleman has become insolent and almost quarrelsome under the guidance of the noble lord. Well, what are we to expect? We know by the traditions of the great Whig party that they will cling to the vessel, if not like shipwrecked sailors, at least like those testaceous marine fish which adhere to the bottom, thereby clogging the engines and impeding the progress. Should a vote of this House displace the Administration, what are the Liberal party to do? If I might advise the Liberal party, I should say they may be perfectly happy as to the issue of this great duel. They are somewhat in the position of Iago, when he exclaims, 'If Cassio kill Roderigo, or Roderigo kill Cassio, or each do kill the other, every way makes my gain.' Even should this Parliament decide on terminating its own and their existence, they will find some consolation that the funeral oration will be pronounced by the hon. member for North Warwickshire (Mr. Newdegate), and that some friendly hand will inscribe on their mausoleum, 'Rest and be thankful.'"

Mr. Walpole, after adverting to the cause of the war and to the conduct of Austria and Prussia in allowing themselves to be borne along with the revolutionary torrent, denounced the mode in which the Treaty of 1852 had been got rid of, to the injury of public law and national rights. His charge against the Government was founded, he said, upon the manner in which they had interfered during 1861 and 1862. The Government had not, what they ought

to have had, a definite, distinct policy ; they placed themselves in a false position by irritating Russia and France, and they had lost influence in Europe.

Lord Palmerston said if any doubt could have existed, when the motion was first made, as to its object and importance, that doubt must be dispelled, for the House had been told plainly that it was intended as a vote of no confidence in the Government. Efforts had been made in the discussion to separate Earl Russell from his colleagues. This was an unconstitutional course of proceeding. The Ministers were all equally responsible for what the Foreign-office had done. He regretted for his country the pains taken to vilify and degrade her. He maintained that the country stood as high as ever in the estimation of Europe. The motion asserted that the just influence of the country had been lowered. This was not the fact ; it was a gratuitous libel upon the country by a great party that hoped to rule it. He read a statement of what the present Administration had done during their five years' tenure of office, in the reduction of taxation, the diminution of the National Debt, and the reduction of the expenditure ; and he showed the vast increase of the income of the country and of its foreign trade, and other tokens of the national prosperity. This being so, he contended that the Government had administered the affairs of the country with honour and advantage, and with credit to themselves, so as to entitle them to the approbation of the House and the confidence of the country.

Mr. Disraeli made a lively and amusing reply, in which he defended himself against the charge of having misquoted documents. Preparations were then made for a division, and great excitement prevailed. The amendment of Mr. Kinglake was put from the chair, and was declared to be carried by a majority of 18—the numbers being, for the amendment, 313 ; against it—in other words, in favour of Mr. Disraeli's original Resolution, 295. The majority for the Government was rather greater than had been anticipated, and was felt, notwithstanding the adverse vote of the Lords, to be a decisive triumph for Lord Palmerston. The result unquestionably contributed not a little to strengthen his Ministry, and to improve their prospects of an extended term of office.

## CHAPTER V.

FOREIGN AND COLONIAL POLICY—Debates on the foreign policy of the Government in regard to China, Japan, and Poland—The unfortunate operations in Ashantee—Motion of Sir John Hay, inculcating the Government, defeated by a very small majority—The rebellion in New Zealand—Debates on colonial policy and on imperial obligations towards dependencies—Guarantee of a loan to New Zealand to meet the charges of the war.—*The Civil War in America*—Difficulties arising from the relations of this country towards the belligerents—Complicated questions of international law in reference to naval matters—Evasive buildings of ships for Confederate Service in English yards—Seizure of steam rams at Birkenhead by order of our Government—Remonstrances and complaints on that account—Debates in both Houses on the conduct of Ministers in reference to the Confederate cruisers—Case of the “Georgia”—Speech of Mr. T. Baring in the House of Commons respecting the reception of this vessel in English harbours—Statement of the law by the Attorney-General—Debate on the system of predatory cruising adopted by the Confederate States—Justification of their own conduct by the Government—Enlistment of soldiers in Great Britain for the service of the Federal army—Repeated appeals to the Government on this subject—The Marquis of Clanricarde and Mr. Roebuck urge the Government to suppress the illegal practice of recruiting—Explanations of Earl Russell and of Lord Palmerston—Facilities afforded to American enlisting agents by the mania for emigration from Ireland—Warning statement of Lord E. Howard as to the system of kidnapping then in progress.—*The Indian Budget*—Highly favourable statement of the financial condition of India by Sir Charles Wood—Surplus of revenue over expenditure—Remarks on this statement in the House of Commons.

THE limited intervention of the British Government in the civil war in China, which, after a desolating contest of fifteen years, was in this year nearly brought to a close by the extinction of the rebellion, became the subject of discussion on two or three occasions in the House of Commons, when the policy adopted by our Government was unfavourably criticized by some members. Early in the Session Colonel Sykes called attention to the massacre of Taepings, which had taken place after the surrender of the town of Soochow, in which it was stated that no less than 30,000 men, women, and children, had been put to death. Viscount Palmerston stated, that the British Government viewed this transaction with the utmost abhorrence. He further explained the course which they had taken, with respect to intervention in the war. He considered that it was for the interests of this country that the rebellion in China should be put down. It had no element of success, and therefore it was desirable that order should as soon as possible be restored. To assist in this, two Orders in Council had been issued—one permitting Captain Sherard Osborn to fit out a naval force to assist the Imperialists, the other authorizing British subjects to enter into the service of the Emperor of China. Captain Osborn’s expedition having failed, the order as to it had been revoked. The other order had also been revoked, in consequence of the conduct of the Chinese officials at Soochow. The

Crown could not grant permission in individual cases to take service with the Emperor of China.

Shortly afterwards Mr. Liddell called the attention of the House of Commons, by a formal motion, to the attitude taken by our Government in regard to the Chinese contest, and proposed a Resolution, "That, in the opinion of the House, further interference on the part of this country in the civil war in China, is impolitic and unnecessary." After reviewing the policy which the English Government had of late years adopted with regard to China, the hon. gentleman contended, that all our attempts to uphold the Mantchu dynasty as against the Taepings, had been most injurious to our character, influence, and interests in the East. He sought in vain for any reasonable ground of interference in Chinese affairs; for our trade with that country had not only not fallen off, but had rather augmented. It was not his intention to ask the House to pass a censure upon the Government, although he considered their policy erroneous in very many respects; but he wished them simply to join him in the attempt to dissuade Ministers from continuing in a course, which was unprecedented in the past, and which he hoped would find no favour in the future.

Mr. Layard denied that there was any intention to establish a British protectorate in China, but admitted that Sir Frederick Bruce, our minister there, had made mistakes, and, in some instances, exceeded his instructions. With regard to the Chinese policy of the Government, it was inspired by the desire to avoid all interference in the civil war, so long as it did not approach within the thirty-five miles' radius of the Treaty ports; and he held that that policy had been successful. The proofs were, the vast augmentation that had taken place, in the number of ships employed in the trade, and in the amount of exports and imports. Moreover, English subjects could now travel with safety through the country; and a telegraph had been established, in connexion with the city of Pekin. He believed there was not a respectable merchant in China, who would not be horrified at the thought of our policy being reversed; and argued that Her Majesty's Government was rather entitled to credit than deserving of blame for the course they had pursued.

Mr. W. E. Forster said that the question really before the House was, whether the Government were to be sanctioned in continuing their interference, for the purpose of putting down the Taeping rebellion; and that question the Under-Secretary had not attempted to answer. He complained of their policy, that it had not only not been right with regard to China, but not fair towards the House; and condemned our recent operations against the Taepings, as a species of bucaneeering. Captain Sherard Osborn, however, had acted nobly in returning home. He had resisted all temptations, and thus saved Ministers from consequences such as they would have rued for years to come. With regard to protecting the Treaty ports, and our Treaty rights, he should like to know



whether the capture of Soochow, which was accomplished chiefly through the assistance of British officers, was necessary. In looking back upon the history of the past, it was impossible to deny that we had had a good deal to do in creating the anarchy now prevailing in China. The end of this policy would, he feared, be, to throw another Chinese war on our hands, and oblige us to effect the conquest of the country.

Further debate on this occasion was precluded by the House being counted out. Later in the Session the question was again raised, by Mr. Baxter, who strongly impugned the policy of the Queen's Ministers in this instance. He objected to the policy of the Government in supporting the Imperial Government of China, as being bad in principle and not likely to succeed. He protested against the expenditure of the money of the tax-payers of this country, in an attempt to keep up a dynasty which was effete. He contended that the policy which had been adopted, was in distinct violation of neutrality, in the contest between the Imperial Government and the Taepings. He asked whether Her Majesty's Government meant, in the future, to adhere strictly to the defence of British property, in the three Treaty ports of China, without any interference on behalf of the Imperial dynasty.

Viscount Palmerston said our Chinese policy was founded on rights and on the material interests of this country, and was not, in the strictest sense, one of neutrality. He pointed out that the general policy of this country towards China was guided by the principle of the extension of commerce, and all the interferences of Her Majesty's Government had been rendered necessary by circumstances connected with the protection of the mercantile interests of Englishmen. As to the cruelty and perfidy of the Imperialists, however that might be, the Taepings were infinitely the worse of the two; each of them possessing the normal characteristics of the Chinese. With regard to the existing state of things, so far as had been ascertained, the Taeping rebellion had been narrowed, while there had been a manifest improvement in the system of the Imperial Government. The object of Her Majesty's Government in assisting the Chinese Government in the collection of its revenue, and in allowing the services of British subjects to be placed at its disposal, was the restoration of order in the empire, the existence of which would be most advantageous to the commercial operations of this country in China. There was no intention of renewing the permission to British officers to serve the Imperial Government, which had been revoked; and none of interfering actively between the Government and the rebels, beyond what was necessary for the protection of English trade and commerce.

Mr. Liddell and Colonel Sykes again censured the policy of our Government, which was vindicated by Mr. Gregson, who said that the object of our intervention was limited to a defence of the Treaty ports, and the preservation of British life and property. He much

regretted the failure of Captain Sherard Osborn's expedition, the object of which was very beneficial to the interests of China. Mr. Kinnaird supported the same views.

A more powerful attack upon the Government, in respect of their policy of interference in a foreign contest, was afterwards made by Mr. Cobden, who, in accordance with the doctrines which he had consistently maintained in regard to foreign policy, objected *in toto* to the intervention of England in the civil war between the Imperialists and the Taepings.

On the 31st of May the member for Rochdale asked the House of Commons to agree to a Resolution moved by him, declaring that the policy of non-intervention by force of arms in the internal political affairs of foreign countries, which we professed to observe in our relations with the states of Europe and America, should be observed in our intercourse with the empire of China. In reviewing the state of our relations with that country he insisted that it was of the most unsatisfactory character, especially so far as our commerce was concerned. China, he remarked, was the only foreign country where we had systematically endeavoured to force a trade by violence and war; and, curiously enough, it was the only country which formed an exception to the general progress which was apparent every where else. In about twenty years we had had three wars with China, the object of which was to open up, as it was called, trade with that country; but the result had been that, whenever there was a war, our merchants, stimulated by anticipations of extended markets, sent out large quantities of produce and reaped nothing but disappointment, collapse, and reaction. In fact, during the last thirty-five years, China was the only country that had disappointed us; for at the end of that period she stood only twelfth in the rank of our customers, and even below Egypt. The moral of all was that we could not extend our commerce by means of war and violence, and he recommended as the best method of getting out of our difficulties in China the establishment of a number of free ports at islands on the coast, in the same manner as we had done at Singapore. He objected to persisting in a policy that was most costly alike to our national character and our material interests; and he urged that the Government ought to restrain their representatives at the Antipodes, revert to the policy enunciated by the Duke of Wellington, and terminate our direct relations with China, for it was the opinion of the Duke that we had no business to force our political connexions upon that country. In conclusion, the hon. member recommended the House, as the wisest course to adopt, at the commencement of the next Session to appoint a Select Committee to inquire into our commercial relations with China and Japan; and impressed upon the House and the commercial community that it was equally their duty and their interest to show to these Pagan nations the superior brightness of our Christianity and our civilization.

Mr. Layard opposed the motion. He said if Government had

followed the advice given on various sides of the House, the most disastrous results would have ensued, not only to our commerce with China, but to the lives of a large number of British subjects. Disputing the representations of Mr. Cobden as to the increase of the trade with China, he contended that that increase had been immense in the course of the last few years. His hon. friend had recommended that a number of free ports should be established on the Chinese coast, but he had omitted to state how his suggestion was to be carried out. The truth was that Shanghai had already virtually become a free port. Hong Kong, too, was a free port, and the experiment had to a certain extent answered. To establish free ports, however, it would be necessary that the Chinese Government should cede to us such islands as Chusan and Formosa; but he thought it was very unlikely that they would do so, seeing that such ports would at once absorb the whole of the external trade of the empire. The thing was, therefore, impossible. Moreover, if these islands were ceded to us, other Powers might follow our example; and even if that policy were carried out, the probability was that we might get into such difficulties as to lead to serious complications. Mr. Layard also justified the policy of the Government in obtaining a certain number of Treaty ports, and defending them against the marauding Taepings, whose grotesque Christianity had little more to commend it to our sympathies than the religion of Buddh.

After some observations in support of the motion, by Lord Naas, Mr. Liddell, and other members, Viscount Palmerston said that the House ought not so much to consider the relations between the Anglo-Chinese force and the Taepings, as the large results which had followed the opening of diplomatic intercourse with China. The expeditions under Captain Osborn and Major Gordon had failed on account of the jealousy of the Chinese themselves; but Her Majesty's Government would not have sanctioned their employment had it not been considered absolutely necessary to assist in putting down a state of civil war which threatened to compromise the commercial interests of this country. The object of England in establishing herself at the Treaty ports was not to obtain territory. All she wanted was a basis for her commerce, and this could not be obtained as long as there were hordes of revolutionists congregated in their neighbourhood. He claimed for the policy which this country had pursued from the time of the abolition of the East India Company's charter down to the present moment that it had been eminently successful. Its object was deserving of the approval of the country and the exertions of the Government; and having achieved the great point of entering into friendly and direct relations with the central Government of China, he was persuaded that those relations were not likely to be shaken, and that with the continuance of them our interests in China would every year increase.

Mr. Bright observed that, looking back over the past thirty years, there was, perhaps, no portion of our annals of which we



ought to be less proud than of those connected with our relations with China. The Government of Lord Palmerston had brought every thing Chinese into such inextricable confusion that it was hardly worth while to make any attempt to get them out of it. From the debate of that evening he came to the conclusion that with two or three exceptions only, the House universally condemned the policy that had been pursued, and that the policy of intermeddling was the policy of absolute idiocy.

The motion was then withdrawn.

“*Quæ regio in terris nostri non plena laboris?*” may England well say at the present time: at so many points and in such widely distant regions do her extended trade and her widely scattered colonial possessions bring her into contact, and too frequently into collision, with other nations. In every part of the world there arises, from time to time, occasion for the protection of her ships, or the intervention of her arms. This year in the remote and isolated empire of Japan her Armstrong guns were twice called into play, once to exact reparation for the murder of an Englishman, and again to punish an attempt to exclude foreign shipping from the inland sea. In the first case we were opposed to one of the most powerful of the Suzerain princes of Japan, and in the course of our operations some serious damage was done to the town of Kagosima. The first reports which arrived in this country represented the effects of this attack in a very serious light, and the public feeling was considerably excited on the subject. The matter, it is needless to say, did not escape a rigid scrutiny and criticism in Parliament.

On an early day after the commencement of the Session, the subject was mooted by Mr. Buxton, who proposed a Resolution in these terms:—“That this House, while only imputing to Admiral Kuper a misconception of the duty imposed on him, deeply regrets the burning of the town of Kagosima, as being contrary to those usages of war which prevail among civilized nations, and to which it is the duty and the policy of this country to adhere.” He said he should shrink from saying that Admiral Kuper was guilty of cold-blooded cruelty; but he contended that the Admiral had shelled the town of Kagosima on purpose, and he quoted various extracts from the despatches of Earl Russell and Lieutenant-Colonel Neale, our consul, for the purpose of showing that he only acted according to instructions from the Government. The burning of Kagosima was, he maintained, against international law, and he quoted Vattel and other writers in support of this view. Nor could this act be justified on the ground of policy, as it was eminently calculated to further alienate from us a nation whose peculiarity was their great dislike of foreigners. He drew a vivid picture of the fearful sufferings of the population of that burning city, many of whom must have perished in the flames; and he appealed to the Government that they should do all that in them lay to clear the character of the country from all participation in this act.



Mr. Aytoun, in seconding the motion, contended that we had given much provocation to the Japanese, and that Earl Russell was not altogether exempt from the blame attaching to the destruction of Kagosima.

Mr. Longfield moved, as an amendment, the omission of the words "while only imputing to Admiral Kuper a misconception of the duty imposed on him." He stated that, in his opinion, Admiral Kuper only carried out his instructions, and he protested against his being made a scapegoat.

Sir John Hay seconded the amendment, and contended that not Admiral Kuper but Earl Russell was distinctly responsible for the burning of Kagosima. It was impossible for Admiral Kuper to have fired on the batteries without firing on the town.

Lord Stanley said he should be glad to hear a better defence of this proceeding than was to be found in the papers which had been laid before the House. He could not understand a double claim being made, one on the Tycoon, and the other on the Daimio, for compensation for the murder of Mr. Richardson, and the amounts, 100,000*l.* and 25,000*l.*, he considered exorbitant.

Lord Robert Montagu observed that the mover of this Resolution had great sympathy for the Japanese, but he appeared to have none for Mr. Richardson, who was murdered on a road which was open by treaty. He thought Government would have been deserving of condemnation if they had not demanded reparation. True, we got 100,000*l.* from the Tycoon, but it was requisite also to punish the offender.

After various other members on each side of the House had commented upon the transactions, Mr. Layard addressed the House in vindication of the course taken by the British authorities in exacting reparation for the gross outrage which had been committed. He described the circumstances attending the murder of Mr. Richardson, which he considered to have been most atrocious and unprovoked. He knew, he said, how often his countrymen in the East had been blamed for their own conduct when any outrage had been committed upon them; but in this case he ventured to say that Mr. Richardson and his friends were not at all to blame,—not a single word could be said against them. They were riding in a road which had been opened by treaty. No notice had been given at the time that there was a procession of a Daimio expected. Two gentlemen and a lady were riding on this road; they met a procession; they withdrew off the road and did every thing they possibly could to avoid it; but, notwithstanding this, the retainers of the chief, whoever he was, fell upon them and tried to murder them all. The lady escaped by miracle. The second gentleman also escaped by miracle, and the third was murdered. The member who had moved the amendment, a high legal authority, said this was a case of manslaughter. He afterwards characterized it by an expression which he (Mr. Layard) had heard for the first time—"a casual murder." Why it should be called "a

casual murder" he could not understand. The evidence went to prove this. One of the party after being cut down fell from his horse, upon which some of these retainers rushed upon him; and when afterwards entreating for water knelt on him and cut his throat. This was what an hon. gentleman, speaking, he supposed, the language of his part of the country, called "a casual murder." He thought it about the most horrible and determinate murder he had ever heard of. The road where it occurred was an open road, solemnly kept open by treaty. So anxious had they been to meet the wishes of the Japanese, that they had by treaty settled where foreigners should go, and where they should not. Without any warning, unhappily, Mr. Richardson was murdered. Now the Japanese Government did not think that we were wrong in demanding the punishment of the Daimio, for they promised a ship of war, but it was not ready when wanted. When the instructions were sent from this country they had not the slightest idea where Prince Satsuma lived; they were informed that his palace could be attacked by ships, but they did not even know there was a large town there. No sooner had the admiral taken the Japanese steamers than the Japanese batteries opened a tremendous fire of shot and shell upon them. He did not blame the Japanese for that, but he and that House would have blamed our admiral if he had not returned the fire. If he had not done so, there would have been a cry throughout Japan that the English fleet had been defeated, and the life of no foreigner would have been safe. The second day shells were thrown into the palace, but it was some consolation to know that it did not appear there was any great loss of life. The Government had the cordial assistance of the French and the Dutch Governments in their proceedings in Japan. The United States Government had followed the very opposite policy. Their Secretary of Legation was murdered, and the house of the Minister burned down, but the Minister took no steps to obtain redress. He had since, however, written to his Government, declaring that he had changed his mind as to the policy he had hitherto followed, and stating his wish for the presence of a portion of the American naval force. And what did the Dutch do? For a long time they submitted to every indignity. Did they prosper? On the contrary, they lost their trade. He therefore could not agree to this motion.

Mr. W. E. Forster observed that they were all agreed the burning of the town was a deplorable occurrence. The only question was whether it was a matter not only of regret, but of blame. If of blame, on whom? That depended upon whether the destruction of the houses was intentional. He believed, on the evidence referred to by Mr. Buxton, that it was intentional. Then on whom did the blame rest? It could only fall upon three persons—Admiral Kuper, Colonel Neale, and Earl Russell. The two former were in a difficult position, and great allowance must be made for them. It was clear to him, he

said, that the idea of shelling the houses was suggested in the despatch of Lord Russell, though he was sure that the result was regretted by him. But he had not expressed that regret, and it became, therefore, the duty of that House to signify its opinion by adopting the Resolution as amended.

Viscount Palmerston said, after the outrages which had been committed on British subjects in Japan, it would have been criminal in the British Government not to demand redress. They were asked why they had demanded a double reparation. The fact was there was a double default. The crime was committed on a road specially set apart for the use of the Europeans, and there was default in the Government of the Tycoon suffering such an outrage to take place. The Tycoon granted reparation; the Daimio refused, and the Government took measures to enforce it from him, not so much to punish him as to deter others, and to teach them that though they might defy the Tycoon, they could not commit outrages on British subjects with impunity. Earl Russell sent out proper instructions, not to destroy the town of Kagosima, but to enforce redress. Admiral Kuper seized some steamers by way of reprisal, and if redress had been given they would have been given up. In firing on the batteries it was impossible to prevent the shot reaching the town. The firing of the town the first day was not the result of intention. The next day the castle of the Daimio was shelled, which was a proper course, the object being to punish the Daimio. A high wind prevailed at the time, and spread the fire to the town. This motion was to express regret at the conflagration, but that had already been expressed in the address to the Crown, and Mr. Buxton should be content with the tone of the debate, and not press his motion to a division.

Mr. Buxton offered to withdraw his Resolution, but this course being objected to, the previous question was moved, and the House decided by a division of 164 to 85 that the Resolution should not be put to the vote.

A few weeks after the above debate had taken place, Mr. Layard read a despatch from Colonel Neale, our Minister at Japan, explaining the circumstances attending the bombardment of Kagosima. It showed that the population of Kagosima was only 40,000, including men, women, and children, all of whom withdrew before the bombardment commenced. After the bombardment ceased the inhabitants returned, and the town was speedily restored to nearly its original state.

Shortly before the end of the Session, Earl Grey made the policy of our Government towards Japan the subject of a series of Resolutions, which produced a full and interesting discussion. The Resolutions referred to our commercial relations with the Japanese empire, the Treaties made by us with that Power, and the manner in which the conditions of those Treaties had been enforced. He explained that the Resolutions were not intended to



convey any vote of censure on Her Majesty's Government, but to recommend a change in a policy calculated to involve England in wars resembling the succession of conflicts with China. The commercial treaties with Japan had been obtained by force, and as soon as they came into operation, collisions and acts of violence had been provoked by the misconduct of Englishmen and other foreigners, who treated the laws and customs of the natives with the greatest contempt. To resent these outrages, the British representative in Japan required the services of the fleet on the station, and, as the result, England was engaged in a war without the knowledge of the Government. This was a power too great to be trusted to a subordinate officer, and the results of permitting it to be exercised in Japan might be very disastrous. He thought the terms of our treaties ought to be modified, so as to allay the apprehensions of the Japanese that their national independence would be destroyed by those who entered the country as traders. He ascribed all the evils that had arisen to the overbearing and lawless behaviour of British subjects, who knew that they had the power of England to support them. He believed the withdrawal or diminution of the force at their command would produce an improvement in their conduct towards the natives. The responsibility for the past did not rest entirely with the Government, as Parliament had approved the policy adopted. But as the experience of six years showed the necessity of some change, he asked the House to recommend a revision of the existing treaty.

Earl Russell denied that the commercial treaty with Japan had been obtained by force, and contended that Lord Grey should have pointed out how our relations with that country might be amended. It was impossible that England could, in dealing with the Japanese, reverse the principle followed in our intercourse with all Oriental nations. English subjects could not be given up to be punished by torture and mutilation under the sanguinary laws of Japan. They must be dealt with by our own tribunals. He admitted that the conduct of many Englishmen in Japan had been very blameable. They often, as in China, behaved insolently to the natives, but he knew of no particular regulations that could prevent these abuses. He could only hope that time, and a sense of the advantages of a friendly intercourse with the people, would produce a better state of things. He then defended the course taken by Sir R. Alcock, in exacting from the Prince of Satsuma a compensation for the murder of Mr. Richardson, believing it was more likely to prevent any future war than to provoke it. This country was ready to make any concession the Japanese could reasonably ask for; but it would be better to maintain the rights we had acquired than to begin a new system of policy, especially if it reversed the principles we had always acted on when dealing with Eastern nations.

The Bishop of Oxford thought the statement of Lord Grey had



not been satisfactorily answered. The treaty had certainly been obtained by intimidation, and existed only by the terror the Japanese felt of our arms. The terms of the treaty had been violated by English traders, especially by the exportation of gold, which was prohibited, and the very existence of the Japanese Government was endangered by the policy we were pursuing. England could not wish to reduce Japan to a miserable state of anarchy, yet that must be the result if the Japanese political system were destroyed without creating any substitute. Violations of right and justice were more likely to ruin our commerce than to extend it.

The Duke of Somerset denied that the Japanese people were disinclined to trade with us. He also denied the assertion that the Daimios looked upon trade with contempt. In fact, Earl Grey's speech was full of mistakes from beginning to end. Satsuma did not object to trade, but he was jealous, and said the Tycoon was getting all the profit out of the trade, and that he himself ought to share in it. Here was this proud Daimio, who could not bear trade, longing to share in the profits of it. The noble earl asked in his Resolution "that the provisions of the treaty may be so modified as to place the future intercourse of the two nations on a better footing." In his opinion the best way of dealing with the question was to exhibit firmness on the one hand, and moderation and forbearance on the other. They had now certain rights in Japan under the treaty, and the Japanese admitted it. Satsuma's people admitted that we had a right to inflict punishment for the murder, and they were liable for it, and so far from the burning of their town having had any ill effect, it had a most excellent one. When the people came back they were ready to enter into another treaty. As to the town, it was rebuilt in a few days. Not long ago he saw a gentleman who had recently come from Yokohama. That gentleman told him that whilst he was at Yokohama he saw a large establishment for the education of young Japanese burnt down on a Monday, and to his surprise it was built up again by the following Friday. That was a specimen of the way in which these paper and wooden houses were burnt down and rebuilt. He confessed he was very sorry to hear the attacks that had been made upon Admiral Kuper, and he felt sure that no one, however he might wish to blame the Government, could desire to censure an officer who acted in the strict performance of his duty.

After some further discussion, a division took place, and Earl Grey's Resolutions were negatived by a majority of 19.

The affairs of Poland underwent but scanty discussion this year in Parliament. Mr. Hennessey, however, who had been the active champion of that unfortunate country in former Sessions, did not allow the present one to pass by without reminding the House of Commons of the wrongs and sufferings sustained by his unfortunate clients at the hands of Russia. On the order for going into Committee of Supply, on the 26th of May, the member for King's

County moved "that the negotiations of Her Majesty's Government respecting Poland had not terminated in a satisfactory manner; that it appeared from the papers laid before Parliament that the conditions on which the British Government agreed to acknowledge the dominion of Russia in Poland had not been fulfilled by Russia; and that this House was of opinion that Her Majesty's Government was no longer bound to recognize the sovereignty of Russia in Poland." The hon. member contended that the time must come when Poland would be free. Burke, Talleyrand, and Castlereagh, had all declared that an independent Poland was inevitable. The first Napoleon said that it was essential to Europe, and was a certainty in the future; and the present Emperor of the French had asserted that Poland was the sister of France. For himself he did not despair of the Polish cause, the rights of Poland being written in the public law and in the hearts of the people of Europe.

Viscount Palmerston said he agreed in the condemnation pronounced by Mr. Hennessey upon that great public crime, the partition of Poland, and in his censure of the conduct of Russia throughout the whole of her connexion and relations with Poland. But that was not the question before the House. Mr. Hennessey condemned the conduct of Her Majesty's Government in their recent transactions with regard to Poland; but he (Lord Palmerston) was at a loss to understand what it was they had not done which they ought to have done. Mr. Hennessey had acknowledged upon former occasions that he did not ask for war, but for diplomatic action with other Powers of Europe, and the Government had gone to the utmost length in their diplomatic efforts. Under these circumstances only two courses remained—either to cease those efforts, or to go to war with Russia on account of Poland, which, it had been admitted, would be an act of madness. If he were asked the question, he should be very much disposed to agree that Russia had not fulfilled her obligation to Poland under the treaty; but for the House to adopt these Resolutions, unless it was prepared to follow them up by going to war to wrest Poland from Russia, would be to place it in not only an undignified but a ridiculous position. The Treaty of Vienna was signed by other Powers besides England, so that a declaration by England alone would not be valid in putting an end to the rights of Russia over Poland. Russia had pretended that she held Poland not by treaty but by the sword, and we had gained a considerable step in obtaining by our diplomacy an admission from Russia that she did hold Poland by treaty, and would be bound by its obligations when order and tranquillity were restored. For the sake of the Poles themselves, he hoped the House would not be led away by its feelings and deprive them of the shelter and protection of that treaty.

Some further discussion ensued. Mr. Seymour Fitzgerald said that when Austria and France had expressed their readiness to take steps on this question, our Government had paralyzed their action,

and when Lord Palmerston said our Government had done all they could for Poland, he was throwing dust in their eyes.

Mr. Layard, in answer to these observations, said that it was easy for those who spoke without a sense of responsibility to use strong language; but he was sure that the public approved of the resolution of our Government to abstain from war.

The Resolutions moved by Mr. Hennessey were negatived without a division.

Among the minor operations in which British troops were employed this year, was one which excited much animadversion in Parliament—the loss of life occasioned by disease in the expedition being regarded as quite disproportioned to the importance of the operation. It was undertaken at the instance of the Governor of our settlement at Cape Coast Castle, for the purpose of exacting retribution from the King of Ashantee for an outrage committed, or apprehended from him, upon British territory; but the pestilential nature of the climate on the Gold Coast, against which it was alleged that sufficient precautions had not been taken for protecting our force, led to serious loss and suffering, and the cost of this petty war, both in men and money, appeared greatly to exceed any advantage to be gained by it. Soon after the news of these unfortunate hostilities reached England, the matter attracted attention in Parliament, and questions were addressed to the Secretary of State for the Colonies, by Sir John Pakington, as to the causes which had led to the war with the King of Ashantee, and what prospect there was of our troops being relieved from the destructive effects of that climate. Statements had reached him that our Governor at Cape Coast Castle intended to invade the Ashantee territory, and to take possession of the capital. If this were true, it would be a most visionary scheme, at once hopeless and impossible. He had heard that the King of Ashantee had at his disposal a considerable army; but whether he had or not, his natural position would repel an attack, for no army could be so strong, nor fortress so impregnable, as the dreadful climate and pernicious atmosphere which prevailed over the 150 miles which lay between the capital and the sea coast. The effects of this on the European constitution rendered life not worth three weeks' purchase, and those Europeans who escaped death from the climate were in many cases afflicted with idiocy. Another peculiar fact was that negroes appeared to suffer as much from the climate as Europeans: he had been lately informed that a wing of a West India regiment, brought over from the West Indies in order to aid in the prosecution of the war—numbering 700 negroes strong—was landed on the Gold Coast, and five days afterwards no less than 120 of these 700 negroes were placed *hors de combat*. It had been stated that the military expense for this absurd enterprise reached 1000*l.* a day; but he found, from more reliable information, that it amounted to between 11,000*l.* and 14,000*l.* a month. He earnestly hoped that this folly—he might say this worse than folly—would be put a stop to.



Mr. Cardwell stated that the origin of the war was the flight of two slaves, subjects of the King of Ashantee, into our settlement on the Gold Coast, and the refusal of the Governor to deliver them up, on the ground that, if he did so, their death would be inevitable. The conduct of the Governor in that case had received the approval of the Duke of Newcastle. In the spring of 1863 the Ashantee forces made an incursion into the territory of neighbouring chiefs, and advanced within forty miles of the English possessions, destroying in their progress upwards of thirty towns and villages, sacrificing many lives, and carrying off much property. In the succeeding autumn the Governor, finding that the King of Ashantee intended a renewal of hostilities, and an attack upon our settlements, determined to anticipate him by sending a force into his territories. Having mentioned the further progress of events, the right hon. gentleman concluded by stating that Her Majesty's Government had determined at once to send transports to remove our forces from the Gold Coast, so as to bring the troops within the number that could be accommodated there by the ordinary means, with a due regard to their health and comfort; that the troops should be withdrawn altogether from the interior; that the stockades should be given over to the native chiefs who were friendly to the British, to protect their own territory, and that the stores should be removed so far as the circumstances of the case would render it practicable, while those which could not be removed would be made a present of to the friendly chiefs. With regard to the future, he could only say that he entirely sympathized in the feeling that it was not our duty to make expeditions at a distance from the sea coast into the interior of Africa; and as there was no desire or intention to extend our territory, and the rains had put an end to all warlike operations, it was not proposed to renew them.

The discussion was not for the present carried further, but those who had taken up the case and felt strongly the impolicy of the steps taken by the Colonial authorities, were not disposed to let the matter rest here. Accordingly, Sir John Hay, who had previously manifested much interest in the case, gave notice of a Resolution expressing the regret of the House at the proceedings in Ashantee, and moving a censure upon the Government on that account. In introducing this motion, Sir J. Hay inculpated those who had authorized this unfortunate expedition, without, as he alleged, the requisite precautionary measures, in rather strong terms. He said the climate at Cape Coast Castle was most deadly, and, except in the rainy season, there was an insufficient supply of water for the soldiers, and no cattle could exist. In such a state of things every necessary comfort should have been provided for the troops. Transports should have been moored off Cape Coast Castle as a base of operations, and to convey supplies from Sierra Leone and elsewhere. Hospital ships should also have been stationed there, and steamers provided to remove the sick to more healthy



places. These precautionary measures had not been taken. In this war, carried on without the knowledge of this House, the arrangements for the comfort and subsistence of the troops were made in the most niggardly spirit, totally disregarding the health of the men; and frightful mortality ensued alike amongst officers and men. Who was to blame for this? He readily acquitted the Colonial Office, and as to Mr. Pine, Governor of Cape Coast Castle, he had only obeyed the instructions of his superiors. The War Office was no doubt to blame for ordering the additional troops to go there, and providing an insufficient commissariat; and the Admiralty was to blame for having delayed to send out transports to remove the rest of the force, and having at length sent them without proper orders. The actual responsibility lay on the Cabinet—the men who had betrayed Denmark and truckled to Germany; who had convulsed China and devastated Japan; who, ten years ago, sent a British army to perish of want and cold in a Crimean winter; and who had now sent out some hundreds of British troops to perish of hunger, thirst, fever, and want of shelter on the burning plains and in the fetid swamps of Central Africa. In conclusion, he moved “that the Government, in landing forces on the Gold Coast for the purpose of waging war against the King of Ashantee, without making sufficient provision for preserving the health of the troops to be employed there, had incurred a grave responsibility, and that the House lamented the want of foresight which had caused so large a loss of life.”

The Marquis of Hartington opposed the motion, and defended the War Office from the charges made. The only troops sent by the order of Government to Cape Coast Castle were seven companies, and they landed there from the “Tamar” in April last. They were despatched thither on the representations of Governor Pine; as to the accommodation provided for the troops, an officer was specially sent out to make the requisite arrangements. The noble marquis then entered into details at considerable length, describing the measures taken to provide the troops with provisions, including fresh meat, and also with wholesome water, for which filters were sent out calculated to supply 1200 gallons of pure water per day. The number of surgeons at the station for the 1400 men had never been less than six; it was generally eight, and for the last five months it was eleven and twelve. As to medical stores and comforts, there was an abundance; and with regard to the provision of hospitals, if any thing whatever had been omitted they must have heard of it through the communications received from the Gold Coast. But he had looked over all the despatches, and he could not find a single complaint of the officer in command of the troops, the Governor of Cape Coast Castle, the officer in charge of the commissariat, or the senior naval officer on the station, with regard to that or any other subject connected with the comfort and welfare of the troops. If there had been delay in sending out transports for the removal of the troops, at all events there had

been none in despatching instructions for the withdrawal of the force from the interior. He also referred to the deaths which had been said to have been caused by this expedition, and he showed that they were in many cases wholly unconnected with that event. He concluded by saying that the mover of this Resolution had, in order to secure the votes of members who would not support it in the form originally proposed, modified its language; but its purpose remained the same as it was—a direct vote of “censure.” The hon. gentleman had stated that the deaths of thirteen officers were all owing to the criminal incapacity of Her Majesty’s Government. He (Lord Hartington) had shown how many of those officers’ deaths were not owing to the expedition, and how many officers annually died on the coast of Africa when not engaged in warlike operations at all. He had shown that the annual proportion of those who died or were invalided was almost 50 per cent., and he maintained that the facts which he had been enabled to state to the House had entirely disproved the assertions which had been made. He trusted, therefore, that the House would not only negative the motion, but would do it by such a majority as would mark its sense of the conduct of the hon. and gallant member in bringing such grave charges against Her Majesty’s Government in so reckless a manner as, he must say, the gallant member had done.

Mr. H. Seymour regarded the explanation offered by Lord Hartington as unsatisfactory. He laid the blame at the door of the Government. Mr. B. Cochrane, and Mr. Liddell, and Sir J. Elphinstone also supported the motion. Mr. C. Fortescue palliated the conduct of the Executive, and denied that the mortality in this expedition had much exceeded that which usually occurred to Europeans in the African settlements.

General Peel said his impression was that there had been the grossest neglect, and that the events of Cape Coast Castle were, on a minor scale, a repetition of all that had taken place in the Crimea. But the difficulty was to decide, in the absence of further information, who was to blame, and where the responsibility of the Colonial Office ended and that of the War Office began. Had he been Secretary for War, no Governor Pine or Secretary for the Colonies should have induced him to send troops to the Gold Coast in the rainy season.

Viscount Palmerston said—“We have heard it stated in the course of this debate more than once that this is not a party question. Now, I should like to know what name you are to give to a motion which imputes censure to the Government? The word censure has been withdrawn from the Resolution, but the censure has not been withdrawn from the spirit and meaning of it. It is no doubt a vote of censure upon the Government generally. General Peel, indeed, complained that he was anxious to censure somebody, but did not know whom to censure. He said he wanted to know upon whom he could justly throw the blame, which he thought

belonged to some one. I contend that the statements which have been made in the course of this debate show completely and conclusively that, at all events, the assertion contained in the Resolution, namely, that the Government did not adequately provide for the comfort and health of the troops landed for the purpose of carrying on a war against the King of Ashantee, is utterly at variance with the truth." The noble lord, after some comments on the speeches which had been made, concluded by saying: "I trust this House will act according to its deliberate judgment in this matter, and not, by assenting to the motion, give a sanction to the censure which the hon. and gallant gentleman proposes."

Mr. Disraeli denied that the Resolution was founded on untruth. The noble lord said that sufficient provision had been made for preserving the health of the troops, and that there had been no want of foresight on the part of the Government. What was the fact? Why, that there had been sufficient provision to produce disaster, and enough foresight on the part of the Government to see that the calamity was accomplished. With regard to treating the motion as a party question that involved censure; if disaster occurred to an expedition sent out by the Administration, surely it was the duty of the Opposition to inquire what was the cause, and who was responsible for results which had filled the country with mourning. If the noble lord meant to say that there had been a preconcerted scheme to seize upon this occasion for a trial of strength, he was utterly mistaken. He contended that the House of Commons could not pass over the occurrence of such a disaster unnoticed, that there had been no answer to the charges made against the Government, and that the tone of the Prime Minister had been quite unworthy of the subject.

The question having been put, the House proceeded to a division, which proved to be a very close one. There voted for Sir J. Hay's Resolution 226, and against it, 233. Thus the Ministers were only saved from a vote of censure by a majority of seven. The debate, especially at the close, was marked by considerable excitement, and the demonstrations usually attending a keen party struggle.

Another of those vexatious, petty wars, which, breaking out from time to time in some of our remote dependencies, involve the mother country in considerable expense and loss of valuable lives, yet are attended with little glory or advantage, was going on this year in New Zealand. There, unfortunate misunderstandings with the natives had led to insurrection on their part, and some reverses to our arms. In one of these encounters, which took place at Tauranga, a partial repulse was sustained by the British force, in attempting to take a sort of stockade of the Maories, commonly called a *Pah*, and in this unfortunate affair, a large proportion of our officers, who exposed themselves much to the hostile fire in endeavouring to rally their men, lost their lives. This untoward event caused much dissatisfaction in England, and



opinions were expressed in some quarters, that the blame of these disputes with the native chiefs, in which the war had originated, lay with the Executive authority in New Zealand, or with the policy of the Colonial Government at home. Sentiments to this effect were expressed by Mr. Arthur Mills, who called the attention of the House of Commons to the transactions of the war, observing that, besides the enormous cost which it involved, there were other considerations which called for the opinion and the interference of the Imperial Parliament. By the last news it appeared, that the Legislature of New Zealand had passed certain laws, one of which confiscated 9,000,000 acres of native lands; and another invested the Colonial Government with arbitrary power, to an extent almost unparalleled, of suspending the law and of imprisonment. These Acts, it would seem, were in operation in the colony, and he thought the subject called for the attention of Parliament. He proceeded to discuss the transactions between the Colonial Government and the natives of New Zealand in relation to the title to land, and the grounds which the natives had for believing that they had not experienced just treatment, and that they had received provocations; and he expressed his conviction, that the policy of the Colonial Government towards the Maori race had been inconsistent, fluctuating, and imbecile, affording extenuating circumstances in favour of the irritated natives.

Mr. Cardwell, Secretary for the Colonies, remarked that the question at issue was one of great difficulty, as to the mode in which it should be dealt with. The natives were a most remarkable people. We had established a colony among them, with a local Government, in which the natives had no voice, and hence the problem to be solved. The war had not been caused by the King movement, nor was it commenced in order to put down that movement. The cause of the war, as distinctly stated by Governor Sir George Grey, was the existence of a combination among the natives in the northern island, to commence a general war for the total expulsion of the white race. It was necessary, then, to consider what were the measures proper to be adopted, upon the conclusion of the war, in order to secure permanent peace; and Sir George Grey had proposed to locate bodies of European settlers upon lands taken from those tribes that had been guilty of the outrages which had occasioned the war. This was the original proposal of Sir George Grey. He was not going, he said, to defend the laws referred to by Mr. Mills, or to justify their language. What, then, was the course which it was incumbent upon the Imperial Government to take, on receiving these Acts? To disallow them, would, he observed, lead to serious evils; but it was within the power of the Crown, by its instructions, to limit and restrain the operation of the Acts; and that course had been taken. He stated the nature of other instructions for the guidance of the Colonial Government in the arrangements for the pacification and orderly settlement of the colony.



Sir John Pakington, Lord Robert Cecil, and other members, expressed satisfaction with Mr. Cardwell's views. Sir. J. Trelawny and Mr. Selwyn were of a different opinion. The subject then dropped.

Discussion upon the policy of the Government in regard to New Zealand was, however, renewed, towards the latter part of the Session, in consequence of a proposition made by the Government, to guarantee a loan of one million, at four per cent. per annum, out of the Imperial Revenue, for the service of that colony. This measure was regarded in a very unfavourable light by those who condemned the policy of the war *in toto*, and disputed the moral liability of the people of this country to pay the expenses of a contest in which they had no concern, and to which they had given no sanction. The financial proposition raised once more the whole question of the causes of the war, and the conduct of the Home and Colonial Governments. The subject was mooted in the House of Lords by Lord Lyttelton, who declared his belief that the real origin of the present hostilities was our bad government of the natives. We had destroyed, he said, their native institutions, and given them nothing in exchange. As to the war, it was monstrous that it should be carried on by the colony at the expense of the mother country. He thought, however, we should see the colony through the war. It had been said that the natives were rebels against our authority, and so no doubt they were substantially, but that term ought to be used towards them with great leniency. The chiefs of New Zealand were independent chiefs. It was true that a majority of them had signed the Treaty of Waitangi, but we ourselves had left our obligations thereunder unfulfilled.

Earl Granville said the war commenced in consequence of a great outrage on the part of the natives, and our gratitude was due to Sir G. Grey for his conduct under trying circumstances. Personally, he (Lord Granville) agreed that it was unfair to allow the colonists to make war at our expense, as they ought to bear all charges which were not for Imperial purposes. But the great difficulty arose, from the claim of the natives to carry on a government—such as it was—by means of their own chiefs, and apart from the authority of the Queen. That matter would hereafter require serious consideration, as to the “Suppression of the Rebellion Act:” when it came to England it was referred to the law officers of the Crown to consider whether it was *ultra vires*, and they held that it was not. There were many questions which must be left to the local Government, and our Government felt that they ought not to weaken the local authority. Our Government had assented to the “Suppression of the Rebellion Act,” and also to the “Confiscation Act,” passed by the local Legislature.

Earl Grey was of opinion, that all our difficulties in New Zealand were to be traced to the evils of self-government. The war, however, was now practically at an end, and it behoved the Government to consider what policy they would hereafter pursue. He

regretted that they had not disallowed the Confiscation Act, and contended that they ought to have brought the whole question under the notice of the House.

The subject then dropped.

When the Bill for authorizing the loan to the colony came before the House of Commons, it encountered some warm opposition and several hostile divisions. On the motion for the second reading there was an animated debate. Mr. A. Mills moved that the Bill be read a second time that day three months. He said if the present war lasted till April next, it would cost British tax-payers 1,500,000*l.* Mr. Ward, the colonial negotiator of the proposed loan, frankly confessed that he had no power to bind the New Zealand Legislature, to either repay the loan or to contribute towards the military expenses of the colony. Why, then, should this House guarantee this million loan? It was said that the New Zealand revenue was 700,000*l.* a year, nine-tenths of which were derived from Customs. If so, why not raise a loan in the open market, and not come, *in forma pauperis*, asking for a guarantee from Parliament, in order to carry on a war, of the righteousness of which the nation had serious misgivings, and the real cause of which was the greed of the colonists for the acquisition of land.

The Chancellor of the Exchequer said, there was no doubt that the colony was solvent, and well disposed to pay its engagements. The Imperial Government had approved of the policy of the war, and therefore we could not justly throw the whole expenses upon the colony. New Zealand was the first of our colonial possessions that had made any large contribution towards the cost of a war; and the inducements to the Government to take part in the loan were, that one-half the amount would go immediately into the Imperial Exchequer, to pay off existing debts, and that a great improvement would be effected in the future regulations of the charge for military assistance.

Mr. Roebuck urged that the colonization of New Zealand was simply an invasion, with the ultimate object of the extermination of the natives. The Imperial Government interfered to prevent this, and to maintain an English and native population together in the colony; but this was an impossibility, and it must come to this, that the latter would be exterminated. The responsibility rested, in fact, upon the people of this country, and not on the Government; for the former were parties to the carrying out of the usual system of colonizing in the countries of the Crown, namely, one of extermination. The people of this country were bound to protect the colonists against the danger to which our Imperial policy had subjected them.

Mr. Cardwell defended the policy of the Governor of New Zealand, which he said was wise and conciliatory. The present war sprung from a treacherous murder of British soldiers by Waikato natives, who intended to attack Auckland. One of the objects of the present loan was to establish a military settlement

in the colony. As to what was called the land question, the policy of the Government was founded on treaty and on justice, and the right of the natives to their property. The guarantee of the present loan was strongly recommended by the Governor, on the ground that the colonists had made every exertion to defend themselves in the war, and that it was necessary to assist their resources in carrying out that object. He pointed out in detail, that there was ample security in the colony for the loan which was to be guaranteed.

Mr. Cobden said the question was shortly this: we had a debtor owing us 500,000*l.*, and he said to his creditor, "My credit is not very good in the City, but if you will endorse my bill for a million I shall be able to discount it in the City upon your credit, and will then pay you your 500,000*l.*" But what interest had the English people (who were to provide the guarantee) in this matter? In an economical sense, the New Zealand colonists were immeasurably above the population of Great Britain; yet the latter were asked to bear the expenses of a war carried on in the colony; and for what object? According to the member for Sheffield, who, presuming on a long career of eccentricity, had uttered sentiments which were more fitted for a Parliament of Thugs, it was the extermination of the native race. But the real object was the acquisition of land by the colonists; for the price of wool was enormously high, and sheep pasturage was very profitable. The English Parliament, however, had parted with all sovereignty and jurisdiction over the lands of New Zealand, and could not dispose of a single acre of them. As to the boasted revenue of the colony, it was made up chiefly of customs duties on imports, the operation of which was to fetter our trade. In fact, the trade was a factitious one, and, thinking the time was come when the Imperial Parliament ought to take another course with reference to these colonial matters, he should vote for the amendment.

Viscount Palmerston said that the land question had nothing whatever to do with the present war, and argued that the security offered by the colony was ample. Moreover, he thought it was only just to guarantee the loan, for if it were raised in the open market, the colonists would have to pay seven or eight per cent., instead of a considerably lower rate.

Upon a division, the Bill was read a second time, by 92 against 55.

The further stages of the Bill were also strongly contested, but it obtained on each occasion the support of a majority of the House, and finally became law.

The difficulties which the circumstances of the civil war in America imposed upon the British Government at this period, were by no means inconsiderable. To maintain a strict and even-handed neutrality between two belligerent parties, is a policy easy of enunciation, and it might be supposed that the execution of it would be as facile as the principle is simple. But practically the



case is very different. In the first place, however sincere may be the profession of neutrality, it is no easy matter to satisfy two eager and jealous combatants, of the real impartiality of the neutral Power. To decline favour or countenance to either party is often to give offence to both. Again, although a Government may be neutral, it is impossible for the Executive, in a free country, to neutralize the sentiments and sympathies of the community, or to repress the free and public expression of them; while foreigners not unnaturally derive their impressions as much, or more, from the voice of the public press, than from the acts of the Government. Thus, in the present instance, the majority of opinions in this country, especially among the educated class, inclining, as they did, to the Confederate cause, it was not easy to satisfy the Federal party, that the neutrality professed by the public organs of the nation was perfectly sincere. On the other hand, the refusal of the British Government formally to recognize the independence of the Seceding States, was an offence to the Southern rulers, which not all the manifest sympathy of the larger half of the British nation could atone for, in their eyes. Again, the mode in which the contest was conducted by the Confederates, was such as to impose on our Government peculiar risks and difficulties in maintaining its declared policy. Being unable, from the want of maritime resources, to cope with their adversaries in naval warfare, the Southern Government had adopted, with great success, the policy of harassing the commercial marine of their enemies, by means of fleet and powerful steam-ships, which, under the command of daring officers, scoured the seas and destroyed, at comparatively small risk to themselves, a large number of merchant vessels, traversing the ocean with their valuable cargoes. The ships which committed these ravages, though few in number, were most destructive in their operations, and the names of the "Alabama," the "Georgia," and two or three more, became a terror and a scandal to the Federal community. But the circumstance which peculiarly irritated the Northern Government and people against England, was the fact that these vessels, from which they suffered so much annoyance, were built in English yards, sometimes under the false pretence of being designed for another purpose, or for the service of some foreign Power, until the time when they were completed and ready for sea, when, after leaving our shores clandestinely, the mask was suddenly thrown off, and they appeared at sea under Southern colours, and in their avowed character of armed cruisers. The cases of the "Alabama," the "Alexandra," and others, of which mention was made in the preceding volume of this work, were notorious instances of this kind. The laws of trade, and the motives of private interest, proved too strong for the control of the Executive. Remonstrances and complaints from the Federal Government were addressed again and again on this score to our Ministers, and the exasperation of feeling on the other side of the Atlantic occasionally



exploded in something very like threatening language towards England. In answer to such appeals our Government expressed their earnest desire to prevent any contravention of their avowed policy, or of the laws by which violations of neutrality are interdicted, and they evinced in one case their determination to act up to these principles, by ordering the seizure of certain steam rams, which were then building in the yards of Messrs. Laird, at Birkenhead, and which there was strong reason to suspect were designed for Confederate cruisers. In the exercise of their authority, however, they exposed themselves to another difficulty. The seizure of these vessels was loudly complained of by the builders, and those who made common cause with them in trade; the legality of the step was disputed, and the case was taken up against the Ministers, as an unlawful and oppressive proceeding, by members of the Opposition party in Parliament. Out of this and other transactions of a similar kind, several warm discussions arose in Parliament, the Ministers were put upon their defence, and many complex and intricate questions of international law were raised by the disputants. Some of the most important of these debates may here be referred to.

On the 10th of February, the Earl of Derby called the attention of the House of Lords to the correspondence of our Government with that of the United States, relating to the "Alabama," and also to the circumstances attending the seizure of the steam rams at Liverpool. He commented upon our Ministers' having refused to produce the despatches concerning the seizure of the rams, although those documents had been laid before Congress and made public in America. He wished to see the English as well as the American version, as the impression created by the latter was, that Her Majesty's Government had been compelled by the menaces of the United States to make concessions which they had declined in the first instance. He wished also that Parliament should be supplied with any correspondence that might have taken place in regard to acts of violence committed by American cruisers upon English vessels. One of the despatches of Mr. Seward to Mr. Adams contained the threat, that such vessels as the "Alabama" and the "Florida" should be followed and seized, even when they took refuge in British waters, and were under the protection of our flag. It was true that that despatch had not been communicated to Her Majesty's Government, but he thought some understanding should be come to with the United States authorities on the subject.

Earl Russell said there was little doubt that the steam rams which had been seized at Liverpool, which were at first stated to be building on French account, were really intended for the service of the Confederates, and he agreed with Mr. Adams, that the arming and equipping of vessels in this country, and sending them forth to attack a Power with which we were at peace, would be an infringement of the proclamation of neutrality issued by Her

Majesty, and would be virtually taking part in the war in favour of the Confederate States. Her Majesty's Government were extremely anxious that no act of theirs should give rise to such proceedings. With regard to the correspondence respecting alleged acts of violence committed by the Federals upon British ships, the noble lord said: "When the law officers of the Crown tell me that an effective blockade has, in their opinion, been established in certain ports of the Southern States, I take that opinion as a good legal opinion, and abide by their authority. So likewise, when they examine the decisions of the judges in the prize courts of America, and say, either that they are perfectly conformable to the law of nations as it has been laid down in our courts, or that there is some question on which reasonable doubt may be entertained, I do not think it right, in the face of the deliberate decisions of those courts, to make a complaint to the United States Government, and to ask for redress. I must decline to produce the correspondence, as the law officers of the Crown are of opinion that the Government would suffer from having their case partially stated or forestalled. But I will endeavour, in looking over the papers, to produce those cases in which the noble earl and the House take an interest; and if there are other cases in which information is wished for, I will either produce the papers, or endeavour to state valid reasons for withholding them."

On a subsequent occasion Lord Derby renewed the discussion upon the seizure of the rams, entering more fully into the particulars of the case and the conduct of the Ministers. Referring to the published correspondence between the Government and Messrs. Laird, the noble lord said that it disclosed on the part of Messrs. Laird the utmost frankness and a desire to meet the wishes, reasonable or unreasonable, of the Government; whilst it revealed on the part of the Government a most arbitrary, vexatious, and illegal course of proceeding. Government, in the early stage of their correspondence, exhibited the greatest indecision, until they were aroused to activity by the menaces of the United States Minister. In this their conduct contrasted strongly with that of Messrs. Laird and Co., who not only gave the name of the firm for whom they were building the ships (Messrs. A. Bravay and Co., No. 6, Rue de Londres, Paris), but also offered to give the fullest explanations, to show that the building of the rams was shrouded by no concealment, and was perfectly legitimate. He could have understood the seizure of the vessels in order to try the question, but to detain them till Government were satisfied that the owners were innocent was monstrously illegal. It was for Government to prove that the parties were guilty, and not throw on them the onus of establishing their innocence; in fact, as Sir Hugh Cairns had unanswerably argued, they had committed an act of injustice in order that justice might be done. Commenting on the clever forgery of a report of Mr. Mallory to the Secretary of the Confederate Navy, the noble earl said it was a curious coincidence

that the determination of Ministers to bring the question of the rams to a trial agreed to a day with the date of their intimation to the Confederate Government that the building of the iron-plated vessels mentioned in that forged document would not be tolerated. Doubtless, when this fabricated report was communicated to the Foreign Secretary and the Attorney-General, they congratulated themselves that they had a complete case against Messrs. Laird; for from that time the proceedings, which had all along been illegal, became still more arbitrary and decisive. The report alluded to had been transmitted to Her Majesty's Government by Mr. Seward through Lord Lyons, who, however, had shown a great amount of incredulity, and it was absurd to suppose that Mr. Seward had not acted in a culpable manner in omitting to take steps for verifying so suspicious a document. It was only reasonable to expect that the Foreign Secretary would have intimated his opinion of the disreputable trick which had been played upon him. He (Lord Derby) had not raised this question for the purpose of exciting a prejudice in favour of Messrs. Laird, or to prevent them from suffering the consequences of their conduct, if they were guilty, for he trusted that all persons who violated the law by building ships or inducing men to enlist would be brought to justice, and that the noble earl would act with impartiality and observe an equitable neutrality between both the parties engaged in this unhappy conflict. He desired to see the law enforced, but not evaded, whilst Her Majesty's subjects enjoyed the protection to which they were entitled. In conclusion, the noble earl moved for the official production of the correspondence which had already been published non-officially by Messrs. Laird.

Earl Russell said the noble earl had brought forward a question which was, within a month or so, to be tried in a court of law, and he had done so in favour of one party, and that the party against whom the accusation had been brought; and throughout his whole statement he had failed to make out a case of either illegality or oppression. In discussing this subject there were two postulates which their lordships ought to bear in mind. First, that it was desirable to maintain amity with the United States, with which for eighty years—with the exception of a short interval, from 1812 to 1815—we had held relations of peace; the second was, that Messrs. Laird had no right to go to war with any Power having friendly relations with Her Majesty. It was his (Earl Russell's) belief that Messrs. Laird had done all that they could to embroil this country with the United States, and it was only owing to the vigilance of the Government that these gentlemen had been prevented from so doing. Confederate agents had been sent here with the means of obtaining ships for the purpose of committing depredations on the commerce of a Power with which we were at peace. He did not affect to be surprised that the Confederates should resort to these means of aiding their efforts to establish their independence; but he was surprised that, after the Queen's proclama-



tion, British subjects should be found to engage in these undertakings, indifferent to the duty which they owed their country and the risk they ran of involving it in war. It might be that the United States, filled with unjust animosity and suspicion, would declare war against us; but he should deeply regret if British subjects gave them a pretext for such a proceeding. For his own part he was convinced the steam rams had been built originally for the Confederates, and not only was he not sorry for the course which he had taken, but he claimed credit for having averted a war. As Foreign Secretary he had received information on which he could rely, that a conspiracy was on the point of being successfully carried out, and, believing that its success would be fatal to our neutrality, he could not hesitate to assume the responsibility of taking steps to have the case legally investigated; for if vessels continued to go forth to raise the blockade or destroy Federal commerce, no one could deny that the object of the Foreign Enlistment Act would be defeated and the neutrality of England forfeited. What were the antecedents of Messrs. Laird, that he should give them implicit credence? They were the builders of the "Alabama," a vessel which had gone out partially equipped from their yard, under the false pretence of a trial trip, on the very day that Messrs. Laird must have learned, by treachery somewhere, that the Government intended to detain her. And he believed that if he had permitted the steam rams to go out on a trial trip, they, too, would have been seized for the Confederates, and that the discharged crew of the "Florida" were intended to take part in the transaction. The noble earl concluded by saying: "It is to be hoped, with whatever calamities this contest in America may have been accompanied, whatever slaughter may have been committed in their battles, whatever fields may have been devastated and industry interrupted—that Providence has in store some reward for those engaged in an issue that will place 4,000,000 of the black race in a condition of freedom which may hereafter lead to their enjoyment of that liberty which the United States themselves have made the most sacred principle of their constitution. But it must be left to those two contending Powers to work out this great problem, and I for my part should think it the greatest misfortune if we were obliged, by any paramount considerations, to take part in that contest. Our policy is to remain neutral. I believe that Providence will work out its own ends, for

‘There’s a divinity that shapes our ends,  
Rough-hew them how we may;’

and that it will be the result of this contest, the beginning of which we all deplored, and the continuance of which we all regret, that that stain—that crime—that detestable state of slavery will be forever abolished from among the human race."

A debate was raised on the same subject in the House of Com-



mons by Mr. Seymour Fitzgerald, who severely impugned the conduct of the Government, influenced, as he imputed, by menaces held out by Mr. Adams, the American Minister. The motion, which was, in form, for the production of papers, was resisted by the Government, and after a debate in which the Attorney-General vindicated with much force the legal grounds upon which the Ministers had acted in ordering the seizure of the rams, laying down doctrines of international law, which were controverted on the Opposition side by Sir H. Cairns and Mr. Walpole, the motion was negatived, on a division, by 178 to 153.

The difficulties which arose out of the seizure of the rams were eventually removed, and the inconvenience of hostile proceedings in the courts of law was prevented, by the Government making an offer to Messrs. Laird for the purchase, on their own account, of those vessels, which offer being accepted, the sum required for the purchase was included in a Supplementary Naval Estimate, and was voted by the House of Commons.

While on the one hand the Government was attacked with remonstrances and complaints on the part of those who alleged that their vessels had been seized by the authorities at home on unjust suspicion, or that British property had been interfered with by the Federal ships at sea on account of a presumed complicity with the Confederate cruisers, and while they were accused of truckling through fear to the Government of the United States; on the other hand, they did not escape blame for showing too great lenity to the violators of international law, and for not exercising with sufficient vigour the powers which they possessed of preventing English ports and dockyards from being made subservient to the covert designs of the Confederates. The latter opinion found expression in a debate which took place in the House of Commons respecting the case of the "Georgia," a Confederate cruiser, built in Scotland, and which had come into the port of Liverpool. Her reception there appeared to some persons open to objection, and this opinion was forcibly urged by Mr. Thomas Baring, a gentleman of the highest standing in the commercial world. Observing upon the fact that an armed steamer was now in the port of Liverpool, which, having been originally manned and equipped from British ports, had preyed upon the commerce of a friendly nation, and had never been in any port of the belligerent under whose flag she sailed; Mr. Baring asked whether the admission of such vessels to British harbours was consistent with our international obligations, our professions of neutrality, and the preservation of British interests. The incident, he observed, seemed to him of an extraordinary character, and to raise a question of considerable importance. He detailed the history of the vessel referred to (the "Georgia"), which had been built on the Clyde and clandestinely equipped by a Liverpool firm, and gave a short narrative of its subsequent proceedings. Without going into the mazes and niceties of international law, taking a common-sense view of that

law, the question was whether in this matter we were doing what we were bound to do towards others ; and what guarantee had we, he asked, that other vessels of the same character might not follow, and our neutrality be thus constantly violated ?

The Attorney-General said that in many things which had been said by Mr. Baring he entirely agreed. No one, however, who had observed the conduct of the Government during the past two years could doubt that they had endeavoured, to the utmost of their power, to vindicate the honour of the country, and to fulfil the obligations of a sincere and impartial neutrality. He reminded the House of the difficulties they encountered in dealing with these cases ; but he insisted that they were justified in considering the existing law sufficient for the purpose, and that it was not their duty at present to propose any change. He then stated the facts of the case of the "Georgia," and, after an exposition of the international law applicable to the facts, contended, in an elaborate argument, that under the general rules of that law, accompanied by the discretion which belonged to neutrals, the Government had acted not inconsistently with our international obligations and our professions of neutrality. He fortified his conclusions by citations from Story and other American authorities, and he observed that we were bound to apply rules of international law not to one of the belligerents only—that the same measure must be dealt to both ; and that, while the demands of the United States went far beyond what they had a right to ask, complaints had been made of their agents enlisting British subjects into the Federal army, which was a violation of the law.

Mr. Cobden said two questions had been brought to their notice in this discussion : one was an alteration of the law, the other the preventing these vessels entering our ports. As to the first, it seemed the existing law was not sufficient to enable us to enforce our obligations. He showed the great revolution which the losses inflicted by these cruisers had wrought in the commerce of the United States, which he feared would disturb the relations between the two countries. As to the exclusion of these vessels from our ports, this was not for the Legislature, but for the Government to do ; and it was admitted that they had the power, but they doubted the expediency. It was in the power of a powerful country to lay down maxims of international law, and we had lost a precious occasion for this, and, on the other hand, had set some pernicious examples. The best thing we could do was to deny hospitality in our ports to vessels that had committed such havoc upon the trade of a friendly nation.

Lord R. Cecil remarked upon Mr. Cobden's proposal that we should create a new international law. Could any breach of neutrality be greater, he asked, than to alter the law in favour of one of the belligerents in order that the alteration might give some advantage to ourselves in a future war ?

On another occasion the question of the relations of our Govern-

ment with the belligerents in regard to naval affairs was taken up from the Federal point of view, by Mr. George Shaw Lefevre, who called the attention of the House of Commons to the course pursued by the agents of the Confederate States in fitting out vessels of war and enlisting seamen in British ports, in violation of the laws of neutrality. He alluded to the "Oreto" or "Florida," the "Alabama," the "Virginia," and the "Rappahannock," and quoted from Confederate State papers to show that the "Oreto" and "Alabama" were Confederate vessels from the first, commissioned as such from this country. Other vessels had been stopped—as the "Alexandra," the "Pampero," and the steam rams. But the Confederate emissaries were busily engaged in this country endeavouring to bring about breaches of neutrality. He had authority for saying that the evasion of the laws of a country was as bad as a direct breach of them; and of such an evasion the Confederate agents had been guilty. The ships that had got out had taken 187 vessels, and destroyed property exceeding in value 3,000,000*l*. They were, in all respects but one, British privateers—that one respect being that a few of their officers held Confederate commissions. It was clear that the Confederate Government had entered into a direct conspiracy for the purpose of evading our laws and breaking our neutrality. The only way to meet the difficulty was to make reprisals against them. First, we should adopt a plan which ought to have been adopted long ago—namely, forbid these vessels from entering our ports; secondly, we ought to capture the vessels. We owed much to the United States for their conduct towards us in 1794, and again during the Crimean war, and he hoped Her Majesty's Government would be prepared to show that they had adopted measures to reciprocate that good feeling.

The Solicitor-General said the Government had done all in its power in reference to the Confederate ships built in England. Steps were taken to condemn the "Florida," but she was acquitted by a proper tribunal. Action had also been taken respecting the "Alexandra," and as to the "Alabama," she escaped whilst Government were collecting evidence. That was a misfortune for which Government was not responsible. As for the "Rappahannock," Government had no information about her till after her escape. He denied that these vessels were to be deemed British ships. He concluded by stating that it was now under the consideration of Government whether remonstrances should not be made to the Confederate Government against the acts of their agents in England.

After some further discussion, the motion for papers was withdrawn.

Another point, on which there was much risk of misunderstanding between this country and the United States Government, in connexion with the war now in progress, was the enlistment of men in this kingdom for the service of the Federal army. Such a practice was in direct contravention of the Foreign Enlistment



Act, yet there could be no doubt that it was clandestinely carried on, and to a considerable extent, particularly in Ireland, where the strong tendency to emigration which induced great numbers to leave their own shores, afforded peculiar facilities to the American recruiting agents. Repeated observations were made in Parliament throughout the Session on these proceedings, and the Ministers were strongly urged to interfere by representations to the Federal authorities on the subject. The Marquis of Clanricarde more than once called the attention of Earl Russell to this notorious infringement of international laws. He expressed his belief, that if the power of recruiting British subjects into the Federal armies had not been allowed, the war would have been brought to a stop long since. The Federals relied mainly on recruits from Ireland. Not only was this the case, but the Federal Government had passed measures to encourage immigration, and there had been established regular depôts for the enlistment of Germans and others. Our Government was bound to see that British subjects were not thus entrapped, and to make vigorous remonstrances against the practice. If Earl Russell would inquire of the Secretary for War he would find, that while 5000 persons, chiefly single men, were leaving Cork every week for America, the recruiting depôt in that city was going to be reduced, because it could not obtain men for Her Majesty's army.

He reminded the House, that as late as 1823 this was an offence punishable with death.

Earl Russell said, that any attempt to enlist recruits in Ireland by the Federal agents, was a breach of neutrality, and was an offence against the municipal law of this country. Whenever such an offence could be proved the offenders deserved punishment, and stringent remonstrances should be made to the Federal Government on the subject. He had on more than one occasion complained, that a system of recruiting was going on in Ireland, on behalf of the Federal States; but Mr. Adams indignantly denied that there was any truth in the statement, and on that denial he (Lord Russell) was obliged to pause, until evidence could be obtained of the fact of the recruiting. What had been done in Ireland had been done through the agency of private speculators, and he held it would be very discreditable in the Washington Government, if it did not make strict investigation into the matter. The Confederate Government had, however, given as much cause of complaint as the Federal Government, and if this country were, on such grounds, to go to war with one, it must go to war with both. He hoped a stop would soon be put to the war now raging, but he had no hope of such a result from the interference of this country. He wished the Northern States would see the inconsistency of their proceedings. He was sorry to say the papers would constitute a discreditable record against the United States Government.

In the House of Commons Mr. Roebuck took up the same sub-



ject, and appealed with much earnestness to Lord Palmerston, to take a high tone with the Federal Government, in protesting against the enlistment of soldiers then going on in Ireland. Lord Palmerston, in his answer, explained the peculiar difficulties in which the Government were placed, in consequence of the evasive manner in which the recruiting was carried on, and the cover afforded to it by the tide of emigration now setting towards America from Ireland. He said: As to the arming and equipment of ships, that was an easy thing to prevent, and the Government could interpose at any proper moment. Not so with the enlistment of men. There might be agents of the Federal Government employed in Ireland, in the endeavour to induce fighting men to enlist in the Federal army, but he should think they were much too cunning to effect the enlistments there. The fact was, that a great demand for labour prevailed in the United States, and the people were induced to emigrate, in the hope of finding a better market for their industry, but when they landed in New York there were persons ready to offer them a hundred dollars bounty money to enlist in United States regiments. The statements that inducements had been held out to persuade Irishmen to go to America, with the intention when they got there of being inveigled into the army, might be true; but there was no evidence upon which to found a legal prosecution of the parties. Her Majesty's Government had remonstrated on the subject, and if it could be proved that the municipal law had been violated, of course fresh representations would at once be made to the United States Government.

Mr. Bright rebuked Mr. Roebuck for his attacks upon the Washington Government, and asked how he could assume that a foreign Government was breaking international and municipal law by enticing Irishmen to emigrate to America, when he must know that there was already an overwhelming attraction, apart from the question of war, that would take Irishmen to that country, the bounty money being not 100 dollars, but more nearly 100%. The only marvel was, that any Irishman, who was not the owner of land, or possessed of some capital, should remain in blighted and unhappy Ireland.

Just before the close of the Session, the subject was again brought before the House of Commons, by Lord Edward Howard, who stated some important facts well deserving to be known, as a warning to those who were tempted to go to America, by the offer of employment on railways or other works, but who on their arrival were either cajoled or forced to enter the Federal army. He mentioned several instances of young men who had been thus decoyed, with the promise of permanent employment in Canada, but who were surreptitiously carried to New York, drugged, and kidnapped into the military service. The noble lord stated his belief that in all the large passenger ships sailing from Liverpool, agents of the Federal Government were on board, with a

view of recruiting young men. He pointed out the effect on the labour market in the North which such a system might hereafter produce. The state of the currency, and the prices of necessaries, operated so as to render the position of persons emigrating from this country to America far worse than they were at home. He stated facts relating to the mode of inducing Irish labourers to emigrate, supposing that they were to be employed in the construction of railways, but who were only designed to be soldiers in the American service. He did not make any charge in this matter against the American Government, but his object was to hold out a warning to the people of this country.

Mr. Layard said it was a very difficult matter to deal with, and he knew no better mode than by making the facts public, and reiterating the warnings which the noble lord had now given, to the persons likely to be entrapped into the military service of America in the way which had been described. The persons who carried on this system of kidnapping so managed, that it was impossible to obtain legal evidence sufficient to convict them of the offence of which they had been guilty. The Foreign Office had done all in its power to protect British subjects in America in this case, and Lord Lyons, in the United States had been indefatigable in doing all that was possible to obtain the release of men enlisted, and redress for them.

Sir R. Peel thought the discussion was calculated to do much good amongst the unfortunate persons who were being made the victims of the unscrupulous agents engaged in seducing, under various pretences, the subjects of the Queen to enter the United States army. In Ireland, he was happy to assure the House, the Government of the Lord Lieutenant had resorted to measures to check these practices that could not fail to be effective.

The financial statement of the Secretary of State for India was made this year as usual, just before the close of the Session, by the Minister for that department, Sir Charles Wood. It was of a very favourable character, and exhibited in a striking light the improvements which had taken place in the fiscal administration of Indian affairs since the transfer of the government to the Crown. Sir C. Wood began his speech by congratulating the House on the fact that the anticipations which he held forth in 1863 had been more than confirmed. During the three years ending April, 1862, the equilibrium of Indian finance had been so nearly restored, that upon a revenue charge of 49 millions the deficiency was only 50,000*l*. At the close of the year ending April, 1863, instead of a deficit, the accounts showed a surplus of upwards of 1,800,000*l*., and for the year ending April last, a surplus of 257,000*l*., while Sir Charles Trevelyan looked forward to a surplus for the current year of 823,000*l*. This result had been accomplished mainly by the reductions effected in Indian expenditure, notwithstanding a considerable remission of the extra taxation imposed during the mutiny. In addition to this, a large amount of debt had been dis-

charged, consisting of a temporary loan in this country of one million and a half, India Bonds a quarter of a million, and India Debentures five millions and a half. So that there had been paid off in this country, in the course of the last year, 7,313,000*l.*, and 1,000,000*l.* in India, or a total of 8,313,000*l.* Further, he had the satisfaction of stating, that this result had been produced without reducing the estimated balance in the Indian Treasury, which, including 4,500,000*l.* at home, now amounted to 19,000,000*l.* The various sources from which the revenue was derived, opium, salt, Customs, and land, were all in a healthy and thriving condition, and during the year there had been an increased expenditure of one million for public works, a half million for the improved survey and assessment for the land revenue, with a view to facilitating the purchase and transfer of land, and another half million for the administration of justice and police. The right hon. gentleman also detailed the various measures of internal administration adopted by the Government with a view of developing the natural resources of the country; enumerating amongst them the construction of public works, the encouragement given to railways, the establishment of the electric telegraph, the impulse imparted to cotton cultivation, and the introduction and successful cultivation of the tea and cinchona plants. In conclusion, he moved a series of nine Resolutions, the first seven of which were declaratory of the state of the finances in the respective presidencies and territories, and the last two related to those of the British Indian possessions generally. The Resolutions presented the following result:—

The total net revenues of the several Presidencies for the year ending the 30th of April, 1863 . . . . .		£36,662,867
The total charges . . . . .		24,968,240
		<hr/>
Surplus of Indian revenue . . . . .		11,694,627
Interest on debt . . . . .		£3,351,680
Charges defrayed in England . . . . .		6,515,601
		<hr/>
		9,867,281
		<hr/>
Surplus of Indian income . . . . .		£1,827,346

As usual on these occasions, the discussion which ensued was a very limited one, the number of members who take an interest in Indian finance, or possess the competent information to criticize the Ministerial statement, being but small. So far as opinions were expressed, on the various matters referred to by Sir C. Wood, they were favourable to the conduct of the Government. Mr. H. D. Seymour congratulated the Secretary of State on the posture of affairs described by him, but suggested that further facilities for the more ready sale of waste lands in fee, would be very advantageous. He urged the adoption of measures to attract the emigra-

tion of Englishmen to, and their settlement in, India, and observed that if during the five years Sir C. Wood had been at the head of the Indian Department, he had taken proper measures, he might ere this, have fixed for ever the supply of cotton from India, so as to remove any fear that the restoration of peace in the United States would throw it again into the hands of the Americans.

Mr. J. B. Smith also felicitated the Government on the improved prospects of India. He strongly advocated the further opening up of the internal navigation of India, which was as yet only to a small extent developed.

Sir J. Elphinstone could not refrain from observing upon the scant attendance and languid interest which the affairs of this vast empire attracted in the House: they were now met on the 21st of July for the purpose of enacting that solemn farce, which last year was enacted on the 23rd of July. After a Session passed in laborious discussions, a fragment of the House of Commons met for the purpose of deliberating upon the government of 200 millions of people, yet the welfare of that enormous population was muttered over to almost empty benches.

After some further discussion, the several Resolutions moved by Sir Charles Wood were agreed to.

## CHAPTER VI.

PARLIAMENTARY REFORM—Absence of excitement on the subject during the present Session—Disinclination of both parties in Parliament to Constitutional change—Partial measures proposed by various Members—Annual motion of Mr. H. Berkley in favour of the Ballot—It is rejected by a large majority—Mr. Locke King's Bill for lowering the county franchise negatived on the second reading—Bill of Mr. Baines for lowering the franchise in boroughs to a 6*l.* rental—Remarkable declaration of the Chancellor of the Exchequer in favour of extension of the suffrage—Effect produced by his speech—Mr. Baines's Bill is thrown out.—*Under-Secretaries of State in the House of Commons*—Curious discovery of a breach of Parliamentary law by an oversight of the Government—It is remedied by a Bill of Indemnity.—*National Education*—Complaints against Mr. Lowe, Vice-President of the Committee of Council, of mutilating the Inspectors' reports—Resolution censuring that practice moved by Lord Robert Cecil and carried—Resignation of Mr. Lowe in consequence of this vote—His denial of the charge imputed to him—Appointment of Select Committee to investigate the case—Their Report absolves Mr. Lowe from the imputation—Lord Palmerston moves that the Resolution before adopted by the House be rescinded, which is carried *nem. con.*—*Religious Tests and Subscriptions*—Mr. Dodson brings in a Bill to abolish the tests required on taking degrees at Oxford—The measure is warmly opposed—On the third reading the "ayes" and "noes" are equal—The question "that the Bill do pass" negatived by a majority of two.—*Act of Uniformity*—Bill introduced by Mr. Bouverie to repeal certain tests required by this Act—After some debate it is thrown out on the second reading.—*Episcopal Church of Scotland*—Act passed conferring further privileges upon its



ministers—Motion of Lord Ebury on the subject of the Burial Service—Convocation and the “Essays and Reviews”—Debate in the House of Lords on the powers assumed in this instance by Convocation—Severe remarks of the Lord Chancellor—Speeches of Lord Houghton, the Archbishop of Canterbury, and Bishops of London and Oxford.—*Church Rates*—The Session passes without any measure for their abolition—Proposed scheme of Mr. Newdegate.—*Law Reform*—Treatment of convicts, and alterations in the system of penal servitude—Bill brought in by Sir George Grey founded on Report of Royal Commission is passed—Proposed cessation of the punishment of transportation—Bill to restrict the sale of intoxicating liquors brought in by Mr. Lawson—Agitation and numerous petitions in favour of the Bill—It is rejected after debate in the House of Commons by a large majority—Close of the Session on the 29th of July—The Royal Speech delivered by Commission—Review of the political, social, and commercial features of the year—*Conclusion*.

MEASURES tending in the direction of Parliamentary Reform appeared during the present Session to be placed in a state of abeyance, under a sort of tacit agreement between the Ministers and their opponents. It was not for the interest of Lord Palmerston’s Government, which subsisted in a great measure under a system of compromise by the aid of a contingent support from the Conservative party, to precipitate a struggle which would have converted all those opposed on principle to constitutional change into determined opponents; nor was the Conservative party, although once when in office and under strong pressure it had ventured to offer a Reform Bill, inclined to repeat an experiment which many of its most discreet counsellors had then regarded as a mistake. Moreover, the fact was undeniable, that however individual politicians might be bound by previous pledges, or by a regard to their personal consistency, the public out of doors was entirely passive and silent on the question of Reform, and it is equally clear that if ever a material change is to be made in the constitution of Parliament, it can only be effected under a strong and preponderating impulse of public opinion. The complete political lull which now prevailed would have made it perfectly nugatory for any Ministry to propound a scheme for the extension of the suffrage, or for an alteration of the balance of power in the country by the disfranchisement of old, and the enfranchisement of new constituencies. In this state of things the Ministers considered themselves well justified in abstaining from any attempt to reopen the Reform controversy, and even that zealous and consistent Reformer Earl Russell had, in a speech delivered in Scotland in the previous Recess, expressed his acquiescence in this policy of inaction by applying the significant maxim—“Rest and be thankful.” Nevertheless, it could hardly be expected that all the members of the Legislature, which comprised several politicians deeply committed to the principle of Reform, should hold themselves bound by a similar obligation to refrain from all action on the subject, or should give up what had become with some an annual practice of submitting their favourite measures, with however small a prospect of success, to the judgment of the House of Commons. Accordingly, the present Session witnessed a certain number of motions and propositions on subjects connected with Parliamentary Reform; and

though each of these attempts failed of any practical result, one of them afforded a memorable occasion for an expression of opinion on the part of a leading statesman in the Ministerial ranks, which gave great encouragement to the hopes of those who desired an extension of the elective franchise.

The persevering advocate for the Vote by Ballot, who had now for several successive years tested the opinions of the House of Commons by his annual speech and motion, Mr. H. Berkley, again preferred his appeal to the House on that somewhat exhausted question, and urged his panacea for electoral corruption with his usual ingenuity. He argued, that as a general election was, ere long, impending, and it was notorious that our electoral system was defective and corrupt in practice, and as we had no law which could put down the intimidation of voters, nor prevent bribery, it was, therefore, expedient that a fair trial should be given to the Vote by Ballot. Mr. Berkley contended that the Corrupt Practices at Elections Act had proved so complete a failure that corruption and malversation might now be said to flourish by Act of Parliament. The Ballot was the only true remedy for these evils; and he pointed triumphantly to its successful working in Australia. He then referred to the failure of the Corrupt Practices Prevention Act to achieve the objects contemplated by it, and to the state of large boroughs under the present system during general elections. The first thing to be done was to secure a certain person—a man from the moon—known to nobody, who came, and went, and disappeared. The man from the moon descended into the borough, and took up his position at some hotel. Next morning he visited some licensed victualler, and said, “On this day week I require forty breakfasts.” Generally this mysterious person was accompanied by some individual who said nothing, but was perfectly well known to the licensed victualler. The man in the moon afterwards visited every other licensed victualler in the parish and gave similar orders, until he had ordered breakfasts to the amount of 400*l.* or 500*l.*, and then he retired from the busy scene. What happened on the polling day? In this borough there was a vast number of establishments, each of which employed a great many hands, among whom there were perhaps twenty or thirty voters. On the morning of the poll these voters went to breakfast and afterwards to the poll, and then they joined the crowd, or assisted in bringing up voters to the poll. Towards the middle of the day those men proceeded to certain unfinished houses where provisions, beer, and spirits had been conveyed over night. Every one knew that these men dined at the expense of the candidate, but how could it be proved? At the end of the week, they were paid at their respective workshops for the polling day on which they had done no work. The breakfasts were not paid for by the same man in the moon, but by another equally unknown, but he deferred payment until the time for presenting petitions against the return had expired. Now, let him suppose the Ballot

in operation, and apply it to the case of such a borough. In the first place no man from the moon would be needed, no breakfasts would be required, because in giving breakfasts a candidate could not tell but that his opponent's voters might be devouring his tea and toast. In like manner the day's holiday and the wages for it would cease, because a candidate would not give those, lest his opponent's voters might be enjoying them at his expense.

Mr. J. Locke seconded the motion.

Viscount Palmerston opposed it, and said: "I think my hon. friend will himself confess that the feeling in favour of his particular motion is not so strong now as it was in former times. I object to the motion because it is founded on an erroneous assumption. It deals with the right of voting as if it were a personal right, which an individual is entitled to exercise free from any responsibility; whereas I contend that the vote is a trust to be exercised for the benefit of those on whose behalf it is held. Even if the franchise were ever so extended—if we had manhood suffrage—if every man who has arrived at the age of discretion were entitled to vote—still it would be only a trust, because there would be a large portion of the community, women and minors, affected by the law and by taxation, whose interests would be confided to those who have the power to vote. Our legislation assumes that it is a trust and not a right. If the vote were purely a personal right, would not the voter be entitled to ask, on what principle of justice you punish him for exercising the right in a manner which he thinks is to his own individual advantage? But you attach a penalty to a man who exercises the right of voting in a manner which you think is at variance with the public interest; that is, if he does it from a bribe or consideration. Then, I say, the vote is a trust, and being a trust, it ought to be exercised subject to the responsibility of public opinion. The whole political framework of civilized nations is founded on the principle of trust. The interests of the community are in various degrees, more or less important, committed to a select few, who are charged, in regard to those particular things, to act for the welfare of the community at large, and their action ought to be subject to responsibility to those whose interests are committed to their charge. Then I say the Ballot is intended to withdraw the voter from responsibility, and in that respect it is a political evil. My hon. friend has referred to America, but every body knows that in America Ballot voting is not secret voting. It is what is called ticket voting, where every man votes for a great number of candidates at the same time, and so far from the vote being concealed, he goes to the poll with his ticket in his hat, and he is proud of his party. He goes openly to vote for the Governor or the Judge, or the other officers who are elected in the United States. Then I say that the Ballot is founded on a mistaken principle, and is at variance with the fundamental principles on which all our political institutions are based. Lastly, would it be effectual for the purposes for which it is proposed?



I deny it. I maintain that in this country men are proud of their party. They may be thought wrong or may be thought right by their neighbours, but every man who is enlisted under the banners of one party or another is proud of his party, and so far from seeking to conceal his vote in the ballot-box, he would tell his friends what he proposed to do, and would rather be anxious that the whole community to which he belonged should know how he voted. If you adopt the Ballot you must prohibit canvassing, and make it penal for any man to tell beforehand how he is going to vote." After some further observations, the noble lord said he should vote against the motion.

Upon a division, there appeared for the motion 123; against it, 212; majority 89.

Mr. Locke King also revived in the present Session the scheme which in former years had found some favour with the House of Commons, for extending the franchise in counties to occupiers of the value of 10*l*. Having obtained leave to bring in a Bill for this purpose, the member for East Surrey urged the House to assent to the second reading, reminding his hearers that the justice of extending the county franchise had been admitted by the party leaders of the House. The object of this Bill was not merely to increase the number of voters, but to represent the great number of new interests which had sprung up since 1832, and which were not provided for by the Reform Bill of 1832, as they were not then in existence. They had now a total of 520,000 county electors, of whom 100,000 were occupying tenants, whose admission was the only innovation made by the Reform Bill of 1832. The object of that admission was to introduce a new element, but it had signally failed. A grievous injustice was inflicted by excluding occupiers of premises below 50*l*. in value. This Bill was intended to remedy that defect, by giving the county franchise to 10*l*. occupiers, and thereby including clergymen, dissenting ministers, professional men, and others who were now excluded; and he reminded the House that they had been elected upon the Reform cry, and Ministers that they had been placed on the Treasury bench solely in consequence of their Reform pledges; and asked whether the throwing of a Bill upon the table, getting it printed, and then abandoning it, could be honestly regarded as a fulfilment of those pledges. He held that his proposition would have the effect of at once greatly improving the representative branch of the Legislature, strengthening our institutions, and removing a great and crying inequality and injustice.

The proposition did not receive a cordial support from either side, though some members of the Liberal party declared their intention of voting for the second reading. Some thought that the subject ought to be dealt with on a more comprehensive scale, others that it would swamp one class of the constituency, the rural voters, and destroy the balance of political power in the country. Lord Enfield and Mr. Neate wished to substitute 20*l*. for 10*l*. as the standard of



the franchise. Mr. Augustus Smith, though the representative of a Liberal constituency, disapproved of this, as a partial and inefficient measure, and moved, as an amendment, the previous question. After much variety of sentiment had been expressed,

Viscount Palmerston said: "I am anxious to state my reasons for the vote which I am about to give. I cannot vote against the Bill, as that would be to affirm that I am indisposed to any change in the county franchise; whereas I am of opinion that undoubtedly there would be great advantage in making some change, but I cannot vote for the 10% franchise provided by the Bill. The two principal interests are, the manufacturing and commercial on the one side, and the agricultural on the other; and any alteration of existing arrangements which should tend to infuse too much of the commercial element into agricultural constituencies would, I submit, injure the balance which we ought to be most anxious to preserve. That is the view which I take of the proposed measure, and if it should go into Committee I shall not be prepared to vote for the amount of franchise it provides. However, when it reaches that stage it will be quite time enough to consider what we shall do with the franchise. I hardly think it was expedient of my hon. friend to bring forward his Bill at the present juncture, for it is plain that there does not now exist the same anxiety for organic change which was observable some time ago. The fact is that organic changes were introduced more as a means than as an end, the end being great improvements in the whole of our commercial legislation. All such changes as were desirable have long since been effected, as the result of our organic reforms, and therefore is there so much less desire now for further innovations. There are also considerations connected with external affairs, tending to abate our anxiety for organic changes. The events which are taking place in other countries, and which are in a great measure the result of their constitutional systems, have made the people of this country much less anxious for change. I am not going to enter further into the question. I was merely anxious to state that in voting for the second reading I am not prepared to vote for the particular franchise provided in the Bill."

The second reading was then negatived, amidst Opposition cheers, by 254 votes against 227; majority against the Bill 27.

A more important debate, both from its subject-matter and from the opinions which it elicited, arose upon the Bill brought in by Mr. Baines, one of the members for Leeds, for extending the franchise in boroughs by substituting a 6% rental for the present 10% standard. In making this proposition Mr. Baines claimed the indulgence of the House, as he had to appear on behalf of persons who neither in person nor by their representatives were present amongst them. Undoubtedly the great element of that House was the aristocratic element, and it would always continue so whilst the structure of society remained what it was, owing to the great advantage which rank, wealth, and high education gave to men to

act in a legislative capacity. But the great complaint was that the bulk of the working classes were not represented. As the only formal opposition to this Bill was to be the moving of the "previous question," he assumed that its principle was conceded, and that the objection would be made to the inopportuneness of the time for bringing it forward; but he thought that the approaching termination of the present Parliament was a favourable moment for dealing with the question of the franchise. He controverted another argument which he anticipated would be used, that such a measure was not called for by the class to whom it applied, and urged that he and a number of other members of this Parliament had pledged themselves at the last election to endeavour to obtain a larger measure of reform than that proposed by Lord Derby's Government. Besides which, he thought that it was a fallacy to assert that the House was to wait for popular pressure before it inaugurated reforms. However a combination of circumstances might have intervened to prevent the attention of the public being directed to this question, he denied that there was any change of opinion with regard to it; and he argued that it would be far better to yield to this opinion in the present calm condition of the public mind, than to wait until Reform was demanded by the power of popular agitation. The hon. gentleman stated that numerous members of the Conservative party—upwards of sixty—in the House had declared themselves in favour of an extension of the franchise to the working classes, and he quoted their recorded opinions to that effect. He next argued that the increase of education and the moral condition and intelligence of the working classes were such as to entitle them to the franchise. He based this argument, in the first instance, on the facts that the number of day-scholars in England and Wales had increased, since 1831, from 1 in 17 of the population to 1 in 6; and, secondly, on the increase of popular literature, showing that the circulation of newspapers, both daily and weekly, had increased from 38,000,000 in 1831 to 546,000,594, or more than 1300 per cent. A proportionate increase had taken place in magazines, periodicals, and serials; one fact being notable, that immoral publications had sunk from 52,000 to 9000, while free-thinking works were below 5000, the average increase of all publications being fifteen-fold beyond the circulation of 1831. All this had been brought about by the action of the intelligent, industrious, steady, and provident portion of the working classes, and it was on them that he asked the House to confer the franchise. The effect of the proposition contained in the Bill would be to add 246,000 to the existing number of 487,000 borough electors, a moderate and a safe addition to our representative system. He believed that this measure would conduce to the concord of our people and the stability of our institutions, and that it would redeem the honour of Parliament, which was in danger of being sacrificed by the abandonment of the pledges entered into at the last general election. If they admitted

the sons of industry to the franchise he was confident they would find in them the best defenders of the throne and the Constitution, a great accession to their strength in war, and a source of prosperity in peace. He believed they might say with the seer of old, speaking to an ancient people, "Constitutional England, lengthen thy cords, and strengthen thy stakes."

Mr. Cave moved the previous question, and said there was no need or demand for Parliamentary Reform. The working classes were already fully represented, so far as regarded their material interests. As to the anomalies of the present system, they would not be removed by this measure, for although it would enfranchise 6½ householders, the barristers, the members of universities, and naval and military officers who lived in lodgings would have no more political power than the crossing sweepers. He warned the House against tampering with the Constitution.

Mr. Marsh seconded the motion of Mr. Cave. He said that no one wanted reform, and that so far as he himself was concerned, he had enough constituents to represent already, and wanted no more.

It was on this occasion that the Chancellor of the Exchequer delivered a speech in which he expressed views with regard to the franchise, which, while they afforded great delight and encouragement to the reforming party, produced considerable dismay and consternation among the Conservative benches. The right hon. gentleman commenced his speech by observing that although there was a general admission that this was not a time at which it would be advisable for the Government to introduce a comprehensive measure of Parliamentary Reform, yet he would not consent to the amendment, which went to deny, as he was of opinion, that the question of the reduction of the franchise ought to be discussed, and, if possible, settled. He controverted the propositions that the lowering of the franchise would increase bribery, and that no one desired such a measure; and while admitting that the interests of the working classes were well looked after in that House, he denied that it was an argument against giving them the franchise. "I will not," he said, "enter into the question whether the precise form of franchise and the precise figure which my hon. friend has indicated is that which upon full deliberation we ought to choose; whether the franchise should be ratepaying or occupation, or whether or not there should be a lodger's franchise; but this I say, not to be misunderstood, and this I apprehend my hon. friend's Bill to mean, that I give my cordial concurrence to the proposition that there ought to be not a wholesale, but a sensible and considerable addition to that portion of the working classes—at present almost infinitesimal—which is in possession of the franchise. If I am asked what I mean by a 'sensible and considerable addition,' I say that I mean such an addition as I think would have been made by the Bill which we as a Government submitted to the House in 1860. Does the *onus* of proof of the necessity of such a measure lie with us? What is the present state of the constituency, any



departure from which some hon. gentlemen deprecate as a 'domestic revolution?' At present we have, speaking generally, a constituency of which between one-tenth and one-twentieth—certainly less than one-tenth—consists of working men. And what proportion does that fraction of the working classes who are in the possession of the franchise bear to the whole body of the working men? I apprehend I am correct in saying that they are less than one-fiftieth of the whole working classes. Is that a state of things which it would be 'a domestic revolution' to meddle with? I contend, then, that it is on those who say it is necessary to exclude forty-nine-fiftieths that the burden of proof rests; that it is for them to show the unworthiness, the incapacity, and the misconduct of the working classes. On the other hand, my hon. friend indicates that kind of extension of the suffrage which would make the working classes a sensible fraction of the borough constituency—an important fraction, but still a small minority. That is the proposition we have before us. We are told that the working classes don't agitate; but is it desirable that we should wait until they do agitate? In my opinion, agitation by the working classes upon any political subject whatever is a thing not to be waited for, not to be made a condition previous to any Parliamentary movement, but, on the contrary, is to be deprecated, and, if possible, prevented by wise and provident measures. An agitation by the working classes is not like an agitation by the classes above them having leisure. The agitation of the classes having leisure is easily conducted. Every hour of their time has not a money value; their wives and children are not dependent on the application of those hours of labour. When a working man finds himself in such a condition that he must abandon that daily labour on which he is strictly dependent for his daily bread, it is only because then, in railway language, 'the danger signal is turned on,' and because he feels a strong necessity for action and a distrust in the rulers who have driven him to that necessity. The present state of things, I rejoice to say, does not indicate that distrust; but if we admit that, we must not allege the absence of agitation on the part of the working classes as a reason why the Parliament of England, and the public mind of England, should be indisposed to entertain the discussion of this question."

Mr. Gladstone proceeded to argue that it was a fallacy to suppose that if the suffrage-extension was given to the working body they would act together as a class, and set up class interests in antagonism to the interests of the community at large. He showed that the Reform Bill of 1832 had greatly decreased the possession of the franchise by the abolition of scot and lot voters, and others of cognate description, and this was an argument in favour of the claim of the working class to an extension of the suffrage. He pointed out the change which had taken place in the relations between the working classes and the laws, the institutions, the government, and the throne of this country in



the last half-century, a period which, as regarded recent chronology, was, in fact and sentiment, a far distant epoch. He laid down broadly that the presumption was in favour of admitting the working class to a share of political power. "I say that every man who is not presumably incapacitated by some consideration of personal unfitness or political danger is morally entitled to come within the pale of the Constitution. Of course, the meaning of that is this, that sudden, violent, and intoxicating changes must be avoided, but that fitness for the franchise, when it is shown to exist—as I say it is shown to exist in the case of a select portion of the working classes—is not repelled on sufficient grounds by the allegation that things are as well as they are. I contend, moreover, that persons who have exhibited such qualities as the Lancashire operatives have lately done, are fit to discharge the duties of citizenship, and that to admission to the discharge of those duties they are entitled. The present franchise, I may add, on the whole—subject, of course, to some exceptions—draws the line between the lowest middle class and the upper order of the working class. As a general rule, the lower stratum of the middle class is admitted to the exercise of the franchise, while the upper stratum of the working class is excluded. That I believe to be a fair description of the formation of the constituencies in boroughs and towns. Is it a state of things, I would ask, recommended by clear principles of reason? Is the upper portion of the working classes inferior to the lowest portion of the middle? That is a question I should wish to be considered on both sides of the House. For my own part, it appears to me that the negative of the proposition may be held with the greatest confidence. Whenever this question comes to be discussed, with the view to an immediate issue, the conduct of the working men of Lancashire during the recent cotton famine cannot be forgotten. What are the qualities which fit a man for the exercise of a privilege such as the franchise? Self-command, self-control, respect for order, patience under suffering, confidence in the law, regard for his superiors; and when I should like to know were all these great qualities exhibited in a more illustrious degree than under the profound affliction of the winter of 1862? I admit the danger of dealing at once with enormous masses of men; but I am now speaking only of a portion of the working classes, and I for one cannot admit that there is that special virtue in the nature of the middle classes which justifies us in drawing a marked distinction between them and a select portion of the working classes, so far as relates to the exercise of the franchise."

Mr. Gladstone concluded his speech by advocating the extension of the franchise on the ground of the tendency of such a measure to advance that unity of classes which was now in happy process in this country.

Mr. Whiteside regretted the absence of Lord Palmerston (who was unavoidably prevented from being in the House), and never

more so than now, when the noble lord could so satisfactorily reply to his Chancellor of the Exchequer. The hon. gentleman referred to the rejection of recent Reform Bills, and protested against portions of those measures being brought before the House as a settlement of the question. In his opinion, Mr. Gladstone believed that this Bill would not pass, and only used it as a favourable opportunity for making a little political capital. He contended that this measure would not operate on large cities, but would increase the franchise in certain boroughs in the country. It was because the Government had failed in every act of their policy, and especially foreign policy, that, in order to prevent retributive justice being done upon them, they now came forward with a cry of Parliamentary Reform. As for the present Bill, it was meant only to afford an opportunity for the delivery of speeches for electioneering purposes.

Mr. W. E. Forster congratulated Mr. Baines on the great advance of the object which he had in view, by the discussion which had taken place on this occasion. There had been no agitation on the subject of Reform among the working classes, because they gave Parliament credit for an intention to fulfil the pledge which had been given in this respect. The opposition now offered to this Bill was not placed on the ground of unfitness of opportunity, but on general objection of principle. If the Liberal party had failed in its duty on the subject of Reform in the present Parliament, after the speech of Mr. Gladstone that state of things must undergo a change; and he believed that it would soon be brought to an issue whether the country should be governed by a Conservative Ministry on Conservative principles, or by a Liberal Administration acting on Conservative ideas.

After some further discussion the "previous question" was carried—the numbers being 216 in favour of the motion being put from the chair, and 272 against it—majority 56.

A question of no great constitutional importance, but which brought to light a rather curious oversight of Parliamentary Law on the part of the Government, was raised by the leader of the Opposition in the House of Commons, who called attention to the distribution of Government offices, by which five Under-Secretaries of State had seats in the House of Commons, whereas, according to the statute law, four Chief Secretaries and four Under-Secretaries, and no more, might sit there. This state of things, Mr. Disraeli said, was unprecedented. It had already been attended with inconvenience, and its continuance might be productive of embarrassing and even dangerous results, in a constitutional point of view. It became the House, then, to set itself right, in the manner that best comported with its dignity; and for this purpose to put on record its opinion, in a way that could not be mistaken, so that hereafter, Under-Secretaries of State might not be appointed without due examination and reflection, and there should be a complete and ample record of what had been illegally done, and

of the remedy which the House itself had adopted. He would therefore move the following Resolution:—"Notice having been taken by a member of the House, that more than four Under-Secretaries of State had been sitting and voting in this House at the same time, during the present Session, Resolved, that the provisions of the 21st and 22nd Victoria, chap. 106, section 4, have been violated, and that the seat of the fifth Under-Secretary of State has been and is thereby vacated."

Viscount Palmerston stated what was the apportionment of offices as between the two Houses, upon the present Government assuming power, and enumerated the changes that had subsequently taken place. Comparing the original constitution and progressive changes in the Ministry, with the original constitution of Lord Derby's Government, he came to the conclusion that the House of Commons had its proper share of the members who occupied the most important positions in the Administration. He admitted that the Government had unintentionally, and by an oversight, done that which the law did not authorize them; but the House must share the blame, for it was the natural duty of an Opposition to watch with a keen eye the conduct of the Government, and to pick them up even before they fell. He did not think that the motion would be sufficient to meet the difficulty, and it was his intention to ask leave to bring in a Bill of Indemnity, which should record that the law had been violated, and thus place the matter beyond question hereafter. The illegal state of things had, however, ceased, owing to the acceptance by the late Under-Secretary of the Home Department of the Vice-Presidency of the Council of Education. So that there were now only four Under-Secretaries having seats in the House. They were, therefore, within the law, and it was not his intention to evade it.

The Attorney-General gave an explanation as to the law of the case, and said that the first part of the Resolution was true, but that the latter portion was not supported by any Act of Parliament.

Mr. Walpole supported the Resolution, as in accordance with the practice of Parliament in such cases. Sir George Grey admitted the truth of the first part of the Resolution, but moved, as an amendment to the latter part, that a Select Committee should be appointed, to inquire whether the Under-Secretary last appointed had thereby vacated his seat. This motion was agreed to, *nem. con.*, and a Committee was appointed, by which the usage of Parliament, and the bearings of the various Acts in force, were fully considered. The Committee made their Report to the House, which stated that in their judgment, the effect of the irregularity that had taken place was not to vacate the seat of any of the Under-Secretaries. They recommended, however, that a Bill of Indemnity should be brought in, to release the Under-Secretaries from any possible penal consequences from the violation of the law. This was done, and the Bill passed into a law. A new distribution



of offices had in the mean time, been made, by which the number of Under-Secretaries in the House of Commons was reduced to the legal limit, and thus the error which had so singularly escaped notice, until it was brought to light by Mr. Disraeli, was corrected.

The subject of National Education did not, in the present year, occupy any considerable share of the attention of Parliament, but it gave occasion to one controversy, which, as it involved matter of personal conduct, affecting the character, and eventually causing the retirement of a Minister of that Department, may be considered deserving of record. The matter in question was brought before the House of Commons by Lord Robert Cecil, and related to the Reports made to the Crown by the Inspectors of the National Schools. These Reports, it was alleged, underwent a sort of expurgatory criticism, at the hands of the Vice-President of the Committee of Council on Education (Mr. Lowe), the effect of which was to eliminate from them such parts of their contents as contained matter discordant from that gentleman's own views, while all those passages which favoured the doctrines sanctioned by the Committee of Council were left unaltered. The result was, as Lord R. Cecil alleged, to afford to Parliament and to the public a partial and one-sided picture of the state of the National School system, and to deprive the Reports of the value which they ought to possess, as truthful and impartial documents. Upon this statement the noble lord proposed, and Mr. Walter seconded, the following Resolution:—"That, in the opinion of this House, the mutilation of the Reports of Her Majesty's Inspectors of Schools, and the exclusion from them of statements and opinions adverse to the educational views entertained by the Committee of Council, while matters favourable to them are admitted, are violations of the understanding under which the appointment of Inspectors was originally sanctioned by Parliament, and tend entirely to destroy the value of their Reports."

Mr. Lowe justified the course which had been pursued by the Department of Education, observing that the "facts" relied upon by the noble lord for his motion were untrue, and the opinion he had pronounced thereon absurd. He denied that he, as Vice-President of the Council for Education, had pointed out what passages in the Inspectors' Reports were to be struck out or garbled. All he did was to forward the minutes of Council to these officers, and leave them to use their own discretion. He also contended that it could not be said with justice, that the withholding of portions of the Reports in certain cases was a violation of the understanding referred to. It was neither the practice of other branches of the Government, nor was it expedient that every quarrel, every controversy, every indiscreet expression, should find its way to the table of the House. But let the House exonerate the office of its responsibility, and he had not the slightest objection to the production of all the Reports. The House, no doubt, would add to its literature. There was a Report furnished by a Mr. Fletcher,



in 1849. It consisted of 200 octavo pages; it contained long criminal statistics, and was accompanied by shaded maps, showing the state of crime in different parts of the country. Now, that he (Mr. Lowe) considered to be an abuse, remembering that this was all published at the public expense.

Mr. Liddell spoke in favour of the motion. He observed that Mr. Lowe had affirmed that Lord R. Cecil's assertions were untrue, and his opinions absurd, but how had he proved his case? To prove the first part of his assertion he had said, that the Reports were not mutilated by the Department, but by the Inspectors themselves. Now, the Government of Japan, when it wished to punish any officer, did not punish him themselves, but called upon him to commit suicide. This was precisely the course which Mr. Lowe had taken.

Sir G. Grey said that his right hon. friend had adverted to the practice of other departments. He felt bound to say, as the result of experience, that it was absolutely necessary that the head of a department should exercise some degree of control over the Reports of their inspectors. He had had occasion, some time ago, to call the attention of a certain class of inspectors connected with the Home Office, to the character of their Reports. If no control were exercised, they would have inspectors writing essays at the public expense.

The Resolution, being put to the vote, was declared to be carried, by 101 votes against 93. The division was hailed as a great triumph by the majority, but was naturally felt by Mr. Lowe as a very severe censure, and one which so much affected his character and credit as Minister of the Department, as to make it incompatible with his sense of honour any longer to retain his office. Accordingly, a few days afterwards, Mr. Lowe made an appeal to the indulgence of the House (speaking from one of the upper benches on the Ministerial side) to allow him to state the course he had felt himself obliged, upon considerations of personal honour, to adopt. In consequence of the decision of the House on the motion of Lord R. Cecil, which was a direct charge that he, Mr. Lowe, had mutilated the Reports of School Inspectors, by striking out such portions of them as were unfavourable to the administration of the Educational Department, he had felt it his duty to resign the office of Vice-President of the Council on Education. He complained that the House had arrived at a decision suddenly, and in the absence of all evidence, and, alluding to some reports that had been circulated among members whilst the debate was proceeding, and which contained marked passages, he reprobated the conduct of those subordinates in the Education Department, who had betrayed their trust by furnishing these documents. Those marks ought never to have been made, and they had not been made by the order or with the knowledge of Earl Granville or himself, or for the purpose of influencing the Inspectors as to the passages which they were to omit from their Reports. They were

placed there, in fact, in pursuance of a mistaken and erroneous practice, which prevailed until 1862, when he forbade it, and was adopted without his knowledge, by a clerk in the office, whose business it was merely to read the Reports, and call the attention of the secretary to such passages as he might think worthy of his notice. All that he had ever done with the Reports, when they were not framed in accordance with the Minute of January, 1861, was to return them to the writers, and leave them to discover for themselves in what respect their Reports militated against the rule and principle laid down for their guidance by the Department.

Lord R. Cecil said that his Resolution was not directed against Mr. Lowe, but against a censurable practice. If Mr. Lowe had, on the former occasion, given an explanation similar to that now given, his (Lord R. Cecil's) motion would probably not have been pressed to a division.

Viscount Palmerston said that Lord R. Cecil, before he asked the House to express an opinion, ought to have ascertained whether the practice he condemned had or had not been continued since 1862. As to the resignation of his right hon. friend, he had accepted it with very great pain at losing the services of one who, by the extensive range of his knowledge, the logical accuracy of his mind, and his soundness of judgment, was eminently qualified to do good service to the country. He had endeavoured to persuade Mr. Lowe, that the question at issue was not one of veracity on his part, but related to the practice of his department; that it was not a case in which to ask the House to rescind its vote, but rather to appoint a Select Committee, to inquire in what manner the Minute of Council had been carried into effect; but his endeavour had been unsuccessful. He was sure, however, that the House would be of opinion that the vote which it had passed was a hasty decision, and that it would be only consistent with Parliamentary justice and the character of the House, to appoint a Committee, for the purpose of ascertaining whether the impression under which the majority had voted, was or was not well founded.

Mr. Disraeli took the statement of Mr. Lowe, so far as his personal honour was concerned, as perfectly satisfactory. At the same time, he held that the conduct of Lord R. Cecil had throughout been frank and straightforward. Due notice of the motion had been given, yet no preparations were made, on the Ministerial side of the House, to support the right hon. gentleman, in a way that his high position and talents deserved. He only regretted that so much talent had been lost to the public service, as it would appear, from his not having been properly supported by his colleagues.

A Committee was soon afterwards appointed, to inquire into the practice of the Committee of Council on Education, with respect to the Reports of the Inspectors of Schools. The Committee was impartially constituted of members selected from both sides of the House, and after an assiduous inquiry into the facts, it presented a Report which exculpated Mr. Lowe (whose office had been in the

mean time filled up by the appointment of Mr. H. A. Bruce) from the charge of improperly altering or mutilating the Inspectors' Reports. This judgment of the Committee being considered decisive upon the question, and entitling Mr. Lowe to the reparation he had sought, Viscount Palmerston moved the following Resolution:—"That the House, having considered the Report of the Select Committee appointed to inquire into the practice of the Committee of Council on Education, with respect to the Reports of Her Majesty's Inspectors of Schools, is of opinion, that the Resolution passed on the 12th day of April last, with reference to such Reports, ought to be rescinded, and the said Resolution is hereby rescinded." The noble lord called upon the House to pass the Resolution, as an act of generosity and justice to the late Vice-President of Council for Education, who had been charged by the Resolution of Lord R. Cecil with having mutilated the Inspectors' Reports—an allegation which the inquiries of the Select Committee had shown to be at variance with the facts.

In the discussion which followed, Lord R. Cecil, who had been one of the members of the Committee of Inquiry, stated that he was still of opinion that the Committee of Council were not justified in mutilating the Reports of the Inspectors of Schools, or in any way altering their meaning, when they were to be placed before the House; but as he had never made it a personal question affecting the honour of Mr. Lowe, he had no objection to agree to the Resolution. He was gratified to find, however, that Sir J. Pakington would direct the attention of the House to the whole question of the constitution and practice of the Education Department, early in the next Session.

The Resolution was then agreed to, *nem. con.*

It has been already stated that at the beginning of the year a Commission was issued by the Government, for inquiring into and revising the forms of subscription and declaration required from the clergy of the Established Church. The public mind had recently been much stirred upon this subject, and a strong desire existed in some quarters to modify and relax the tests at present exacted at the Universities and elsewhere. Motions had been made in Parliament in some former Sessions with this view, but without any practical result, and some attempts of the same kind were made in the present year. Leave was obtained by Mr. Dodson to bring in a Bill to abolish the tests required on the taking of degrees at Oxford, putting that University on the same footing in this respect as those of Cambridge and Dublin. The second reading of this measure was rather strongly contested, the leading opponents to it being Mr. Walpole, Sir S. Northcote, Mr. Selwyn, Mr. Newdegate, and Sir W. Heathcote.

Mr. Newdegate said the Bill was a deception, as it proposed that no one should subscribe any test of Church membership on being admitted an M.A., but that the test should be retained as an essential security that the clergy adhered to the true doctrine



of the Church, and preached in accordance with those doctrines; but it had not the honesty to abolish them for the laity altogether. It proposed that, whilst the clerical M.A. should continue to subscribe the Articles and formularies of the Church, the lay M.A. should not declare himself a *bonâ fide* member of the Church of England. Under that vague generality, therefore, there would be admitted to the governing body of the University, men who did not concur in all the Articles and formularies of the Church as hitherto subscribed by every Master of Arts. Thus a governing body would be constituted with a lay element stamped as unsound; and rather than agree to such a system, he would prefer seeing subscriptions and declarations swept away altogether.

Sir W. Heathcote moved that the Bill be read a second time that day six months. He said that Cambridge University afforded no analogous case, as the degree of Master of Arts conferred no seat in the Cambridge Senate until a test was signed showing the Master of Arts to be a member of the Established Church.

The Bill was supported by Mr. Göschen, Mr. Neate, Mr. Buxton, and some of the leading members of the Government.

The Chancellor of the Exchequer held that if the tests applied at Oxford for the purpose of ascertaining membership of the Church of England were tests not fitted to the circumstances of the time, that was a state of facts that justified a vote in favour of the second reading of the Bill. He could not, however, undertake to support the Bill as it stood, because it was not quite consistent to lay down by law that no test should be applicable to divinity degrees, and, as regarded admission to the governing body of the University, he agreed that that body ought not to be thrown open irrespective of religious distinctions. It would be invidious, however, to retain the law as it stood, after the change which had been effected at Cambridge. Having shadowed forth the reforms and alterations in the government of the University which he thought might be carried out with safety, including the admission of Dissenters to lay degrees, and the establishment of private halls, the right hon. gentleman warned those who had the best interests of the Church of England at heart, to be careful how they lent themselves to a policy of indiscriminate resistance.

Sir G. Grey, in voting for the second reading, disavowed the intention of doing so upon the assumption that the principle of the Bill was the severance of the connexion existing between the governing body of the University and the Church. He agreed that if they read the Bill a second time without altering it in Committee that would be its effect; but the principle of the Bill, as he understood it, was that no test should be required in taking academical degrees, and he thought that provisions might be introduced in Committee, to meet the objection that had been urged without sacrificing that principle.

On a division the second reading was carried, by 211 to 189, and



the committal of the Bill was agreed to after a second debate, in which the majority in its favour was reduced to 10. The opponents mustered still more strongly against the third reading, on which occasion the numbers on each side were declared to be equal—170. The Speaker, therefore gave his casting vote with the ayes, which carried the third reading by a majority of one; but upon the further question being put, “that the Bill do pass,” another division took place. Then the motion was found to be negatived by 173 to 171, and so the Bill was lost. As, however, it was fully anticipated that it would have met its fate in the Lords, the decision made no practical difference except the saving of time.

Another effort towards the same object was made by Mr. E. P. Bouverie, who brought in a Bill for repealing those portions of the Act of Uniformity which required subscriptions from persons who sought fellowships at the Universities. Mr. Bouverie, in moving the second reading of this measure, stated that an Act (passed in 1856) dispensed with such subscription on taking degrees, except those of a theological character. Some of the colleges at Cambridge had not required such subscription, but merely a declaration that the candidate was a member of the Church of England. The advocates of such subscription argued as if the Universities were merely ecclesiastical seminaries; but they were in truth lay corporations. Why should Nonconformists be excluded from competing for fellowships in colleges which were willing to receive them? The principle sought to be established by this Bill, of throwing open fellowships, was first suggested by a number of gentlemen concerned in the work of education at Cambridge. The test which was now imposed was in substance simply that of a declaration of conformity to the Liturgy of the Church of England. That test had been taken by Dr. Pusey, by Professor Jowett, by Dr. Newman, and Bishop Colenso, and it was extravagant to suppose that such a declaration conduced to promote uniformity of religious belief. The form of worship in the college chapels must be according to the Anglican ritual, and it was altogether futile to suppose that the Church of England derived any benefit from these trammels: if they were removed her strength would be increased instead of weakened. Dissenters had now been admitted to the educational advantages of the Universities, and he hoped this small step would be taken for the further extension of religious liberty.

Mr. Walpole moved that the Bill be read a second time that day three months. He said the adoption of this measure would draw away from secular education that religious instruction upon which English education was based, and upon which the country wished it to stand. It was true that a petition had been sent from Cambridge, and signed by many eminent men, in favour of this measure. But the opinions of the bulk of the members of Oxford and Cambridge were against it: at Cambridge there were 25 for and 120 against it; and at Oxford 81 for and 182 against the proposed changes. All complaint of injustice to Nonconformity was

removed when the University of London was established. That University was sanctioned on the express ground that it would remove the difficulty of Dissenters, and the Universities Act removed the last grievance of which Dissenters could fairly complain. The whole question therefore was, "Are we to have an Established Church at all?" This House ought not to interfere with these institutions, which were specially intended to be connected with the Church of England. The Dissenters had no more right to interfere with them than Churchmen had a right to manage Dissenting colleges. They had gone out of the way to conciliate Nonconformists in this matter, by providing for the establishment of halls at one University, and of hostelries at the other. As to this measure being injurious to the Universities, he thought they were the best judges upon that subject, and their opinions had been expressed decisively. The mover of this Bill had argued that the Church of England weakened herself by not taking every means to comprehend Nonconformists within her pale, but she was in the truest sense of the word a comprehensive Church, so far as those were concerned who built their belief on the principles of the Bible. He opposed this measure because it struck at the fundamental articles of the faith of the Church of England, which they were bound to defend. The right hon. gentleman proposed that the Church should yield a bit here and a bit there, and said that thereby she would grow stronger. But this mode of argument showed the great difference between the two sides of the House. Members on the Liberal side always assumed that the institutions of the country were bad, while hon. members on his side held that they were good, though they were willing to improve them where defects could be shown; but he certainly could not assent to such a measure of pretended reform as that now proposed.

Mr. Monsell said that Mr. Bouverie came to the House with professions of liberty on his lips, but he seemed quite willing that the Roman Catholics should be placed in a degraded position as compared with Protestant Nonconformists. He thought the Roman Catholics had a right to ask that all such privileges should be given to them as could be yielded without violating the fundamental principles of the Universities; but any Bill of this sort should be introduced by the Government, and not emanate from a private member. He held that religion should lie at the basis of all education. The system now proposed by Mr. Bouverie had been tried in France and Belgium, and had failed. He was willing to support a measure conceding the just claims of Protestant Dissenters, but he would do nothing to support the dangerous principle that religion should be dissociated from education.

On a division, the Bill was rejected by 157 votes against 101. Majority, 56.

A measure was originated in the House of Lords by the Duke of Buccleugh, having for its object to repeal the restrictions which prevented persons ordained in the Scottish Episcopal Church from

holding benefices or officiating in the Church of England. This Bill did not pass through either House without some indications of jealousy on the part of those who regarded the Scottish Episcopal clergy as tainted with some tendency to extreme views.

Sir W. Heathcote and other supporters of the Bill, however, argued that the supposition that these clergymen were inclined towards Popery, or that the offices of their Church savoured of those errors, was quite unfounded; and the Bill was ultimately carried through both Houses.

Lord Ebury did not meet with the same success in his efforts, renewed this Session, to procure an alteration of the Burial Service of the Church of England. He moved in the House of Lords an address to the Crown, praying the appointment of a Royal Commission to consider this subject. He stated that fourteen years ago no less than 4000 of the clergy had petitioned the Primate in favour of a change. The Archbishop had promised to consult the Bishops on the subject, but nothing had been done.

The Archbishop of Canterbury said that he could not regard with favour the changes advocated by Lord Ebury.

The Bishop of London said the legal question as to the compulsory obligations on clergymen to read the Burial Service were highly complicated. Many of the clergy objected to any change. Probably the mode adopted in France, where priests are in certain cases exempted by law from the duty of reading the Burial Service might afford aid in considering this question.

The motion led to no result beyond the discussion which took place.

A more interesting debate arose in the House of Lords on the subject of a judgment recently pronounced by the Convocation of the province of Canterbury in condemnation of the publication entitled "*Essays and Reviews*," which had excited so much stir in the theological world. It was thought by some persons that the proceedings in Convocation upon this occasion, which had been adopted in opposition to the counsels of the Bishop of London and other prelates, were not only marked by indiscretion, but were also in contravention of the legal powers of that body. Of this opinion was Lord Houghton, who, in a very temperate speech, appealed to the Government to know upon what grounds of legality the power was assumed by the Convocation of Canterbury to pass synodical judgment on books written by clergymen or laymen. A synodical judgment had been lately passed on the book called "*Essays and Reviews*." From the time of Charles the Fifth the prohibition of books had been practised by the Emperors and Popes, but the question was whether the powers claimed by Convocation were legal. His (Lord Houghton's) sole interest on this occasion was in the freedom of opinion, and the liberty of literature. He deemed the opinions of the writers in the "*Essays and Reviews*" matters not to be discussed there; but the nature of the book being peculiar he would state what the book was. Some years ago a young and



enterprising publisher had a scheme for establishing a theological review, with a larger latitude for criticism than was usual in this country in those days; but after collecting several articles he abandoned the project, and published one volume of the articles so collected. Thus that volume of "Essays and Reviews" was collected, without any connexion between the writers; and this polyglot work was like any number of the *Quarterly* or *Edinburgh Reviews*, to which some of their lordships contributed; and if the Convocation had power to condemn writings, their lordships' works might be included in such condemnation. Therefore a dangerous precedent had been furnished. The noble lord then referred to the various struggles between the Crown and the clergy, wherein the latter had attempted to act without or in defiance of the Royal authority; but in which it was nevertheless fully established that the Convocation had no legal powers, except those directly given by the Crown. The noble lord, after referring to the injuries inflicted upon Professor Jowett, and upon the other gentlemen whose writings the Convocation had censured, concluded by saying that as such powers could only be legally exercised under a license from the Crown, he would again ask, would Government take the opinion of their law officers as to the powers exercised by Convocation in this matter?

The Lord Chancellor, in answering Lord Houghton's inquiries, commented with severe sarcasm upon the proceedings in Convocation to which they related. There were, he said, three modes of dealing with Convocation. The first was to take no notice of their proceedings where they were harmless; the second was, when they were likely to do some injury, to prorogue them, and thus to put an end to their power: and the third was to bring them to the bar of a court of justice. All these laws were passed at the time of the Reformation, for the purpose of securing that which was dearest to the heart of the Government, namely, the supremacy of the Crown. But the caution of the Legislature did not stop there; it did not only provide that the license of the Crown should be necessary to enable Convocation to consider any case, but also that its sentences should be utterly destitute of validity until they received the sanction of the Crown. It was also provided that any usurpation of these privileges of the Crown should be punished by the penalties of *præmunire*, and they would have to appear as penitents in sack-cloth and ashes. One of the right reverend prelates had sentenced a writer of the "Reviews" to twelve months' sequestration. Taking that as the measure, an Archbishop having two votes would be entitled to two years' sequestration. He had not ventured seriously to present this question to Her Majesty's Government, for only let their lordships imagine the extent of profit that would accrue to the Exchequer if the penalties were enforced, not only against the Bishops, but against the deans, archdeacons, proctors, canons, rectors, and vicars, who had raised one common cry, and had rendered themselves liable to one common penalty. He could not contemplate the possibility of that course, and therefore their lordships

would not be surprised to hear that he had shrunk from the task of taking the first step in the matter by consulting the law officers. The penalties incurred under a *præmunire* amounted to 40,000*l.*, which would be taken from the Archbishops, Bishops, deans, archdeacons, and other members of Convocation; and he could only warn the Episcopacy of the peril in which they had placed themselves. It was not in the power of Convocation to exercise the jurisdiction alluded to, and even the expression of an opinion in such matters as had been mentioned would place it in a serious predicament. After some further remarks the noble lord proceeded to describe the nature of a "synodical judgment." What was denominated a synodical judgment was a set of what he might call well-lubricated words, but it was a sentence so oily, so absurd, and so saponaceous, that no one could grasp it, but, like an eel, it slipped through his fingers. It must mean something or nothing, and he was glad to be able to tell his noble friend that it had literally no signification at all. He had had recourse for information to a publication which seemed to have some authority, in which he found the following:—"That this synod having appointed a committee of the upper and lower house, to examine and report upon the volume entitled 'Essays and Reviews,' and the committees having severally reported thereon, doth hereby synodically condemn the said volume, as containing teaching contrary to the doctrines received by the United Church of England and Ireland, in common with the whole Catholic Church." If this volume had been the work of one man the sentence might have had some effect, but seeing that it was nothing in the whole world but a pair of covers holding together seven several essays, and seeing that the sentence did not extend to any thing but the volume, no one of course was condemned, and each of the seven authors might say it did not apply to him. Convocation could not have been more successful if they had deliberately sat down to propose a sentence of no meaning whatever, than they were in this *ridiculus mus*. This judgment was no judgment at all; though if he were strict and severe, which he had no desire to be, he might bring the whole body that sought to exercise this jurisdiction within the language of the statute. Notwithstanding that the attempt had been abortive, he was happy to assure his noble friend that nobody could complain of this oily form of words—no one could say that he was injured by them; and having regard to the impotent effect in which this thing had issued, Her Majesty's Government intended to take no action in the matter. *Solvuntur risu tabulæ.*

The Archbishop of Canterbury said that the object of Convocation was not to persecute individuals, but to vindicate the Church from all complicity in heretical doctrines contained in certain books. He had applied to the law officers of the Crown for an opinion for his guidance in this matter, but they having declined to give an opinion, he took that of Sir Hugh Cairns, who stated that in his judgment Convocation was acting legally. He contended

that that body had a right to express an opinion on the doctrines of the work in question.

The Bishop of London urged that Convocation had a right to complain of the Government in not allowing their law officers to give the opinion asked of them. This was no matter for ridicule, and in religious disputes it was desirable to settle them in their earlier stages, and before they grew serious.

The Bishop of Oxford complained with much warmth of the tone adopted by the Lord Chancellor, and characterized his comments upon the proceedings of Convocation as "ribaldry." He indignantly repelled the insinuation that the Convocation was asserting rights in derogation of the Royal supremacy, or that there was any attempt on the part of the majority of that body to repress the liberty of thought. "For one, I utterly disavow any such desire. I do not believe that people can be kept to a right belief by any such means. No one can go further than I do in saying, 'Let argument be met by argument, learning confronted by learning, and the right shall prevail.' But was that our question? Our question was this:—Men bound by the most solemn obligations that man can possibly take, to teach according to the particular line of doctrine laid down by the Church, as the condition of their holding the ministry—these men, in the judgment of this bench, taught publicly, and in virtue of that sacred office, the opposite to that which they had undertaken to teach. Our action was for the maintenance of truth and to hold to engagements, and it was not to put down opinion. We had to deal with this question—'Shall the Church of England see these false doctrines stated by those who hold her ministry, and shall we, her highest ministers, having under our Queen the opportunity of disavowing these errors, shall we timorously hold our tongues because if we speak we may be subject to ribald reproach? or shall we, in the name of the Church of England, clear that ministry from being supposed to be at liberty to declare one thing as the condition of taking it, and then to speak another as the habit of its exercise?' It was not, my lords, to put down opinion; it was to prevent men breaking their solemn obligations that this step was taken."

The discussion then terminated.

The vexed question of Church Rates, which had in many previous Sessions occupied much time and attention, was this year allowed to be dormant. The only proposition upon the subject, which was in the shape of a Bill brought in by Mr. Newdegate, to authorize the commutation of the Church Rate into a sort of fixed charge upon the land, received its quietus after a short debate, by a decisive majority.

In the direction of Law Reform very little was done or attempted. The Lord Chancellor indeed, brought in a Bill, having for its object to shorten the period of limitation of actions for debt, and to amend the County Courts Acts, by limiting the power of imprisonment exercised by those tribunals, and to give them a



certain equitable jurisdiction. But this measure, and especially the proposed alterations in the time of limitation of debts, encountered a rather serious opposition in the House of Lords, and seeing no prospect of carrying his Bill through Parliament in the present year, the Lord Chancellor withdrew it. In the department of Criminal Law something more effectual was done. The treatment of prisoners under sentence, and the regulations as to penal servitude, which had in the previous year excited a great deal of public interest, and had formed the subject of inquiry and report by a Royal Commission, were now brought under the consideration of Parliament by Sir George Grey, who introduced a Bill, founded upon the Report referred to. In introducing this measure, Sir George stated, that the labours of the Commission had established the fact that, notwithstanding the increase of crime within the two years preceding the appointment of the Commission, notwithstanding the increased prevalence of a certain class of crimes towards the close of the year 1862, notwithstanding that during the latter part of the period there had been an almost total discontinuance of transportation, and, lastly, notwithstanding the vast increase in the population during the last twenty-one years, there had been a considerable decrease of crime in the United Kingdom. With respect to the increase of crime, so far as the metropolis was concerned, it might be satisfactory to state the results of a comparison between the last six months of 1862 and the last six months of 1863, in regard to cases of robbery with violence. In the last six months of 1862 there occurred 82 of such cases, while in the same period of 1863 the number was only 26. And taking the last three months of the two years, the numbers were in 1862, 68; and in 1863, only 11. He believed the change was entirely brought about by the vigilance of the police. It was the opinion of the Commission, that the impression that the penal system was attractive rather than deterrent, was wholly erroneous, and that any augmentation of the punishment of prisoners under penal servitude was not advisable. The recommendations of the Commission applied firstly to administrative details which required no alteration of the law, and next to such changes in the system as involved amendment of the law. With regard to the first, steps had been taken to bring the improvements suggested into operation. The first recommendation of the Commission, involving changes in the law, was that no sentence of penal servitude should be for less than seven years. The evidence showed that short sentences had failed of their effect, and the Government concurred in the recommendation. It was connected with another, which suggested that all sentences of penal servitude should terminate in Western Australia. Although the Government had not adopted that recommendation, they felt that it was borne out by the evidence. That recommendation had excited great, perhaps unnecessary, alarm in the eastern portion of Australia; but the real objection was, that it was not desirable to send convicts to a colony when their sentences

would shortly expire, and they would be quite free. It was, however, still intended to send about 600 convicts a year to Western Australia; conditional pardons being abolished. It had been determined to adopt five years, as the minimum sentence of penal servitude. With regard to the recommendation that all penal convicts should suffer nine months' separate confinement, with power of remission for good conduct, it had been adopted, and this principle would apply generally to sentences.

Various other alterations, of a less important nature, were proposed by the Bill, which was received with considerable approbation. Upon the subject of continuing the system of transportation to Western Australia, different opinions were expressed. Mr. Adderley objected to this part of the scheme. He also contended for uniformity of practice in the treatment of prisoners in every gaol in the country. He was for legislating on the principle solely of punishment; he would abolish tickets of leave, and insist on all sentences being rigidly carried out, while sentences should be accurately defined by Act of Parliament.

Mr. C. Fortescue contended that Government had acted wisely in the course adopted respecting Western Australia, and said that the fears entertained of an influx of criminals from Western Australia to other parts of Australia were unfounded.

Sir J. Pakington approved the adoption by the Government of the system of longer sentences for criminals; and with regard to transportation to Western Australia, though believing transportation the best secondary punishment, and that that to Western Australia might well be extended, he did not think that its advantages were such as to weigh against the strong feeling of the rest of the Australian colonies against it. While approving of a system of remission of punishment, he was of opinion that it should be accompanied by rigid supervision of licensed convicts.

Mr. Childers said the House must not expect that Western Australia would absorb any large number of our criminals, and we ought not to place any considerable reliance on this form of punishment.

Mr. Walpole said that in the present system of penal servitude, with its three gradations of punishment, were combined a penal and a reformatory process, and this was preserved and improved upon by the present Bill; and he deprecated the system advocated by Mr. Adderley, as calculated to fail, whether in the object of deterring from crime, or in doing what could be done towards making criminals better men. He regretted that the system of transportation could not be carried out further than at present, and hoped, that at some future time that end might be attained. Upon the whole, he cordially supported the Bill.

The measure received much consideration in both Houses, and some amendments were carried, after much debate bearing on the subject of the supervision of prisoners released under license. The Bill received the Royal assent before the end of the Session; but

one portion of the scheme embodied in it was not destined to be of long continuance. The retention of transportation, though limited in degree, and confined to Western Australia, provoked the strongest demonstrations of hostility from the other Australian colonies, who feared that their communities would receive fresh accessions of pollution, from the migration of the discharged convicts to their shores. Great agitation and excitement arose in the colonies in reference to this question. Earnest remonstrances were addressed by the Colonial authorities to the Imperial Government; and the language held by the alarmed settlers, in some instances, did not stop short of menace of secession, in case the obnoxious system should be persisted in. Before the end of the year it was announced, through the usual channels, that the Government had now determined to propose a total cessation of the practice of transportation.

A measure of considerable social importance, which was taken up very warmly in some quarters, and was backed by the support of no insignificant portion of the constituencies, though it ultimately proved abortive, was that which was commonly known by the name of the "Permissive Bill," whereby it was proposed to make the issuing of licenses for the sale of intoxicating liquors subject to the veto of a given proportion of the rate-payers in a district. Although this proposition was supported by a large array of local influences, and was urged upon Parliament by a great number of petitions, the novelty of the principle involved in it, and the arbitrary powers that it proposed to invest in a majority, over the free agency of individuals, excited a no less warm opposition on the other side. Mr. Lawson, one of the members for Carlisle, had the charge of the Bill, and in moving the second reading avowed that he was well aware that this subject was not popular in the House. Last year the Home Secretary had promised to introduce a Bill to reform the licensing system, but when afterwards questioned upon the subject, he gave an evasive answer, and subsequently said no measure would be introduced upon the subject. Upwards of 337,000 names were signed to the petitions in favour of this Bill, which showed that its supporters were in earnest. The hon. member then quoted statistics to controvert the allegations of Sir G. Grey, that drunkenness was on the decrease in England. He (Mr. Lawson) admitted that, as a body, the publicans were well-conducted men; but it was the system that he impeached. By that system places for the sale of liquors were set up, without reference to the wishes of the districts, and where a majority of the inhabitants might deem them a nuisance. He cited authorities to show that intoxicating liquors led to most of the miseries of the humble classes. The remedy which he proposed was, that if two-thirds of the rate-payers in a district decided that public-houses were not wanted there, no licenses were to be granted or renewed. As to the novelty of such legislation being used as an argument against it, surely when a great good was obtained no such argu-



ment ought to prevail. The permissive principle, which was embodied in his Bill, was in strict consonance with the freedom of public opinion.

Captain Jervis moved the rejection of the Bill. He stated that having had the misfortune, against his will, to spend five months in the liquor-prohibiting State of Maine, he had seen how badly the system worked. How did the Maine Liquor Law act in the State of Maine? In that country, instead of the people going to a bar to drink, they popped down a cellar, and there they were kept, because the keeper of the cellar knew, that if a drunken man were seen to come out of the cellar, he would himself be punished as well as the other man. Now what was the real reason for the people of that State passing such a law? It was that they were a hardworking but not a hospitable people. A stranger might be a long time there before he was asked to dinner; and it was very easy to say they had nothing to offer him. But after a time, they would say to a person they had become acquainted with, "Are you thirsty?" The person who was thus addressed, seeing a jug of water before him, would naturally say "No," and they would say, "If you will go to that cupboard you may find something more to your taste," and if the person went there, he would find brandy, and every sort of spirit. He assured the House that he was not exaggerating. That was the state of society in Maine, and even people in their houses had to shut up their shutters, for fear that somebody should see them drinking wines or spirits. Was that the system the hon. member wished to introduce into England? In order to save some 90,000 people from getting drunk, the rest of the people were to be prevented from drinking at all. Mr. Lawson had quoted figures, showing the number of cases of drunkenness, but he forgot to tell them how many of those cases of drunkenness were by the same persons, who got drunk over and over again.

Mr. Bright said this question had now taken great hold of the public mind, and it could not be spoken of as a scheme of wild enthusiasts. In dealing with the subject, we should look to the improved condition of the public or to special legislation. He preferred trusting to the former influence. Judging from the increased temperance amongst the upper classes, who could obtain liquor at their will, he expected a similar change in the habits of the other classes, when they came under what might be called corresponding influences. The present proposal, that a majority of rate-payers should decide whether licenses should be granted or renewed in their districts, was a novel experiment, and wholly opposed to the principle on which English legislation was founded; therefore, however willing to promote the objects desired, he could not give his vote for a measure of this kind. He, however, thought that the municipal councils of boroughs might be entrusted with the decision of how many licenses should be granted in their districts, thus avoiding that capriciousness of action which would

exist if the matter were left to the decision of a majority of rate-payers. Still, he was not in favour of legislation on this subject, and, believing that drunkenness was on the decrease in this country, he preferred to trust the promotion of temperance to the increased instruction of the people.

Mr. Roebuck said he had been many years in Parliament and had never heard a more mischievous Bill proposed. He would state why he thought it mischievous. In the first place because by it the House was called upon to abdicate its functions; in the next place because the Bill, if passed, would sow dissension among the people of England, and render England no place for a peaceable man to live in; and his third reason was that it was pre-eminently a Bill directed against the poor—it was pre-eminently an unjust, and he would say, a cruel Bill. The real object of a representative system had been correctly stated by Mr. Bright. It was, that on all matters affecting legislation the Legislature should do for the people what the people required, and not call upon the people to do for themselves that which they had delegated to their representatives to do. This was the great difference between the British Constitution and the ancient republics. If they were to do what the Bill proposed they should do, they would abdicate their functions, which would be a cowardly and a selfish act; they would be asking the people to do what they had not themselves courage to do. That was his first proposition. His second proposition was, that the Bill would sow dissension among the people. Supposing that the people of Westminster should decide to close all places where intoxicating liquors were sold, would that extend to their refreshment-rooms? Were they to say that the power of the rate-payers should not extend to that House? Nothing could be more selfish than that. Poison was suffered to be sold with precautions, but because some persons might take poison with a view of destroying their lives, was that a reason why other persons should not be allowed to have poison for other purposes? And so with fire. Fire was a dangerous thing, but was no man to be allowed to kindle a fire in his chimney, lest another person should set the house on fire? And so with regard to the sale of intoxicating liquor, the Government had taken precautions—proper precautions; and he did not go so far as Mr. Bright, who was for giving the power in this matter to the municipal council. He thought that would be most mischievous. His third proposition was that this was a Bill eminently for the rich. The poor man could not lay in a stock of wine, or spirits, or beer; he could not go for his beer to the next parish, but he must buy it near his own door. He contended, then, that this was pre-eminently a cruel measure. But there was a class of mind that so hated dissent, and was so intolerant, that in its pride it gave rise to the Inquisition, it burned Servetus, and it had led to the introduction of this Bill. The public were very apt to be misled; they easily followed a cry, and they were very likely to entertain a crotchet; and

he had always found that men who entertained a crotchet were among the most intolerant of mankind.

Sir G. Grey agreed with the advocates of the Bill in a desire to promote temperance, but he differed with the assertion of Mr. Lawson that drunkenness was on the increase; and he was decidedly of opinion that the remedy proposed for an alleged increase of intemperance was one which could hardly be adopted by the inhabitants of any district, and if it were, it would create a most intolerable tyranny. The argument in favour of the Bill confounded regulations and prohibitions, and its principle, if carried out, might be applied to the prohibition of the sale of all books, because certain improper works were notoriously published. In the advocacy of the Bill no due distinction had been drawn between the use and abuse of liquors.

After some further discussion the second reading of the Bill was negatived by a very decisive majority, the dissentients being 292, and the supporters only 35.

All the supplies for the service of the year having been voted, the measures of legislation which it was intended to proceed with having been passed, and the usual time for terminating the labours of Parliament having arrived, the Session was brought to a close on the 29th of July. The two Houses were then prorogued by Commissions, and the Royal Message was delivered by the Lord Chancellor in the following terms:—

“MY LORDS AND GENTLEMEN,—

“We are commanded by Her Majesty to release you from further attendance in Parliament, and, at the same time, to convey to you Her Majesty’s acknowledgments for the zeal and assiduity with which you have applied yourselves to the discharge of your duties during the Session of Parliament now brought to a close.

“Her Majesty commands us to inform you that she greatly regrets that the endeavours which she made in concert with the Emperor of the French, the Emperor of Russia, and the King of Sweden, to bring about a reconciliation between the German Powers and the King of Denmark, were not successful, and that the hostilities which had been suspended during the negotiations were again resumed. Her Majesty trusts, however, that the negotiations which have been opened between the belligerents may restore peace to the north of Europe.

“Her Majesty having addressed herself to the Powers who were contracting parties to the Treaty by which the Ionian republic was placed under the protectorate of Great Britain, and having obtained their consent to the annexation of that republic to the kingdom of Greece, and the states of the Ionian republic having agreed thereto, the republic of the seven islands has been formally united to the kingdom of Greece, and Her Majesty trusts that the union so made



will conduce to the welfare and prosperity of all the subjects of His Majesty the King of the Hellenes.

"Her Majesty's relations with the Emperor of China continue to be friendly, and the commerce of her subjects with the Chinese empire is increasing.

"Her Majesty has been engaged, in concert with the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of Russia, in an endeavour to bring to effect an amicable arrangement of differences which had arisen between the Hospodar of Moldo-Wallachia and his Suzerain the Sultan. Her Majesty has the satisfaction to inform you that this endeavour has been successful.

"Her Majesty deeply laments that the civil war in North America has not been brought to a close. Her Majesty will continue to observe a strict neutrality between the belligerents, and would rejoice at a friendly reconciliation between the contending parties.

"GENTLEMEN OF THE HOUSE OF COMMONS,—

"Her Majesty commands us to convey to you her warm acknowledgments for the liberal supplies which you have granted for the service of the present year, and towards the permanent defence of Her Majesty's dockyards and arsenals.

"MY LORDS AND GENTLEMEN,—

"Her Majesty has observed with satisfaction that the distress which the civil war in North America has created in some of the manufacturing districts has to a great extent abated, and Her Majesty trusts that increased supplies of the raw material of industry may be extracted from countries by which it has hitherto been scantily furnished.

"The revolt of certain tribes in New Zealand has not yet been quelled, but it is satisfactory to Her Majesty to know that a large portion of the native population of those islands have taken no part in this revolt.

"It has been a source of much gratification to Her Majesty to observe the rapid development of the resources of her East Indian possessions, and the general contentment of the people inhabiting those extensive regions.

"Her Majesty has given her cordial assent to many measures of public usefulness, the result of your labours during the Session now brought to a close.

"The Act for extending to women and children employed in various trades the regulations applicable to factories in general will tend materially to preserve the health and improve the education of those on whose behalf it was framed.

"The Act for authorizing the grant of Government Annuities will encourage habits of prudence among the working classes, and

will afford them the means of securely investing the results of their industry.

“The Act for authorizing a further advance for public works in some of the manufacturing districts will contribute to alleviate the distress in these districts, and will afford the means of completing many works of marked importance for the health of the population.

“The Act for giving increased facilities for the construction of railways will diminish the expenses attendant upon the extension of those important channels of communication.

“It has afforded to Her Majesty the most heartfelt satisfaction to observe the general well-being and contentment which prevail throughout her dominions, and to remark the progressive increase and development of the national resources, and to find that, after sufficiently providing for the public service, you have been able to make a material diminution in the taxation of the country.

“On returning to your respective counties you will still have important duties to perform, essentially connected with the linking together of the several classes of the community, and Her Majesty fervently prays that the blessing of Almighty God may attend your exertions, and guide them to the object of Her Majesty’s constant solicitude, the welfare and happiness of her people.”

The political features of the Session of which the leading events have been now recorded, were, as has been already observed of the year generally, of a monotonous and unexcited character. The current business of the nation was transacted in Parliament, the supplies for the year were voted, the reparations and renewals annually necessary to keep the legislative machinery in working order were made; but there was a total absence of large measures, striking incidents, or important demonstrations. Only on one occasion, shortly before the close of the Session, the stagnant elements of political strife were stirred into activity, the bonds of party allegiance were revived, and the ministerialists and their opponents measured their forces together in a conflict upon which the continuance of the existing Administration depended. For one week the calm was broken; but the issue of the struggle was decisive, and when this cloud had passed over, the political horizon became as unruffled as before. To those to whom political agitation is a pleasurable excitement, such a tranquil condition of public opinion appears dull and irksome, but others who regard indifference to the affairs of Government, on the part of the bulk of the people, as an evidence of their satisfaction and contentment, will not be displeased with the monotony of a period when little complaint is heard, and few changes are demanded. Such a favourable construction of the present tranquillity appears fairly warranted by the evidence afforded in so many quarters of the steady advance of the country in all the elements of material prosperity and comfort. The revenue, the latest returns of which will be found in the

Appendix, exhibits the most satisfactory signs that the industry of the people is successfully exercised, and that their resources are skilfully administered and turned to account. The returns issued by the Board of Trade testify to the continued expansion and development of our commerce. For the eleven months ending November 30th, 1864, the value of our exports shows an increase of 12 per cent. over the corresponding period of 1863, and of 31 per cent. as compared with 1862.

In regard to the harvest, upon the results of which the financial and commercial prosperity of the country so materially depend, the country had further cause for satisfaction. The summer and autumn, indeed, were marked by an unusual continuance of dry weather, and it was at one time feared that the deficient supply of rain would have an unfavourable effect on the cereal crop, as it had on some other sorts of produce. This fear, however, proved unfounded, and the yield of corn, though not so large as in the preceding year, was found to be quite up to the average. Had the result been different, and a considerable outlay been required for the purchase of foreign grain, the effects upon the money market, under the circumstances of the period, would, no doubt, have been to make a heavy addition to the losses and difficulties sustained by the commercial classes.

Though barren in political fruits, the year was not otherwise uneventful. It will be memorable for several occurrences, some of a gratifying, others of a mournful or alarming character, which alternately cheered and depressed the public mind. Among the foremost events of the former character should be mentioned the birth of a male heir to the Prince and Princess of Wales, an incident which called forth a warm expression of the loyal feelings of the public. Another pleasing feature in the history of the year was the visit of General Garibaldi to our shores, an occasion on which the people of England, without distinction of class, gave vent to an outburst of ardent and enthusiastic feeling seldom witnessed in a nation so calm in temperament, and usually so sparing of exuberant emotions. An effort was made about the same time to embody in some fitting outward manifestation, the reverence and admiration of this country for her national poet, whose tercentenary festival was this year celebrated, but the measures adopted were not very well devised, and the result was by no means a decided success. It would probably have been wiser not to make the attempt without a more full and hearty co-operation of those to whom the public look for guidance and example in such matters.

Contrasting with the bright and auspicious circumstances above referred to, the year 1864 has its dark side also, and its annals are chequered by some events suggestive of painful recollections. From the ordinary accidents of mortality no season is exempt—but in some years the harvest of the grave is heavier than in others, and the public losses of that under review were



rather serious. Two statesmen, held in high estimation and respect, were lost to the service of the nation—the amiable and accomplished Lord Carlisle, the public-spirited and upright Duke of Newcastle—and with them a number considerably above the average of men distinguished for the gifts of intellect, honourably known in the public service, or eminent in literature and art. Losses of another kind, not incident to the common lot of humanity, but the effect of accidents and disasters, extraordinary in their nature, and wide spreading in their ravages, fell heavily upon the nation. Such were the awful inundation of the Sheffield Water Works, so ruinous in its consequences to life and property, and the equally terrific explosion of the Powder Mills at Erith, which spread havoc and alarm for miles around the scene of the disaster. A third calamity, far removed, indeed, from our own shores, but involving great loss of life, and seriously affecting the interests and property of British subjects, was the Cyclone at Calcutta, a convulsion of nature with which few could be compared in horror of aspect and desolating effects. Nor among the misfortunes of the year should those be passed over which owed their origin to another class of causes—the criminal passions and evil inclinations of man. The riots at Belfast were a flagrant exhibition of one of the most morbid and malignant emotions of the human heart, theological animosity. Two factions, each bearing the much-abused name of religion on their banners, maintained for many days together a savage warfare, disgraceful to civilization and Christianity, in the heart of one of the most populous and wealthy towns of Ireland. Other forms of crime in about the average proportion are to be found recorded in the judicial annals of the year, but one deed of murder conspicuous beyond all similar cases for many years past, in the interest which it excited in the public mind,—the crime of Franz Müller—will be long remembered as one of the notable events of the year 1864—a crime which seemed to bring home to every citizen in the kingdom, no matter how quiet and orderly his life, the danger of a sudden and violent death. The discovery of a clue to the guilty man—the wonderful pursuit across the Atlantic—the capture of the criminal—his return—the long trial, which for the time was the only subject that nine men out of ten really cared for—finally, the circumstances of the conviction—the stoical bearing of the convict until the halter was round his throat—and that strange confession which was interrupted and choked by the hangman—all these will render the case of Müller one of the most memorable in the annals of crime.

If now we turn from the political and social to the commercial and financial aspects of the year under review, we shall find that it was in many respects a memorable period. It was marked by a great activity of joint-stock speculation, by a very high average rate, and numerous fluctuations in the value, of money, and by a serious commercial crisis, almost amounting to panic, involving

many failures and heavy losses to the commercial world. During the twelve months no less than 282 new Joint-Stock Companies were brought before the public. The number in 1863 had been 263. The total capital offered for subscription in these undertakings was 106,523,000*l.*; but a considerable number of the proposed schemes proved abortive, and in other instances the process of winding up, voluntarily or otherwise, was resorted to. No less than fifteen changes in the Bank rate of discount were made during the year. On the 1st of January the rate was 7 per cent. It attained its maximum in May, when within three days it was twice raised, first to 8, and then to 9 per cent., at which rate it continued for two weeks. After several fluctuations it was again raised to 9 in September, and remained at that figure for nine weeks. On the 31st of December, it stood at 6 per cent., which was the lowest rate ever reached during the year. The causes of these great fluctuations and high rates of money were various. The state of foreign politics exercised great influence upon the market. In the earlier part of the year much uncertainty prevailed as to whether the complications of the Schleswig Holstein question and the operations to which it gave rise might not produce the result of involving this country in war. Then the contingencies which attached to the great contest in America were such as to afford much temptation to commercial venture. Since the commencement of the war, cotton had been the favourite article for speculation, but at no former period had the dealings been so numerous and the advance in price so rapid as during some months of the present year. But if the value of other commodities had not been increased to so great an extent, the speculative operations in sugar, tallow, jute, and other descriptions of foreign and colonial produce had been indiscreetly indulged in, and now, when quotations had reached their highest point, a feeling of despondency and alarm was discernible. The first blow aimed at this inflation, and which ultimately dashed to the ground the hopes of a numerous class of speculators, was the intelligence from New York that rumours of peace were beginning to be freely circulated. The chief organs of the Republican party, which had been so energetic in their denunciation of the Confederate cause, were now calmly discussing the possibility of a peaceful arrangement of the war. The foremost orators of the Federals, who had taken so conspicuous a part in advocating the continuance of hostilities, were likewise advising a course of conciliation. The time appeared more than ever propitious for a settlement of the difficulty. Mr. Lincoln's four years lease of office would expire in March, 1865, and the election of a president would take place in the previous November. Many persons believed that the people were tired of the war, and that the Democrats, who were in favour of an armistice and a convention of the States to argue the point at issue, would gain the day. The current of opinion seemed entirely changed in favour of peace; and as these tidings were brought to

Europe week after week, the vision of the cotton ports being soon open to the commerce of the world dawned, and not without plausibility, upon the public mind. The price of the staple almost instantly receded, and, in sympathy with this movement, that of other articles also whose values had been so unduly advanced. The news was regarded as any thing but satisfactory by those whose operations had been based upon a further rise, and soon afterwards came rumours of insolvency and the announcement of several failures.

With the arrival of September the tendency of affairs betokened great despondency. The pressure of the Money Market increased; and concurrently with the strong measures adopted by the directors of the Bank of England in order to check the efflux of bullion, the banks of France, Holland, Frankfort, and other Continental cities adopted the same policy, though in a less extreme degree. The general uneasiness felt in this country was further increased by the failure about the middle of September of the joint-stock bank of Leeds, a disaster which involved numerous parties, and was followed by the disclosure of mercantile embarrassments in various quarters. The indiscreet modes of dealing which were brought to light when the accounts of this bank came to be examined, increased the public distrust of the new banks and finance companies, and added to the general anxiety. In October the alarm and despondency in commercial circles reached its climax. The 9 per cent. rate was firmly maintained by the Bank of England; the foreign banks advanced their terms of discount. All articles of foreign and colonial produce declined in value. Sales of all descriptions of negotiable property, and especially of the stock and shares of the new financial and banking companies, brought down prices at the Stock Exchange to a very low figure. Many traders, unable to procure accommodation except at a sacrifice that would ultimately have still more involved them, were obliged to seek the indulgence of their creditors. Confidence was for a time seriously shaken, but though a considerable number of the weaker firms collapsed, the older and better established houses steered their way with great prudence through the perils which encompassed them. The extraordinary low prices of all classes of production began now to attract buyers; a favourable reaction set in, and before the end of October the commercial prospects began to brighten. On the 10th of November the Bank rate was put down to 8, and on the 24th of the same month to 7 per cent. In December greater progress towards an easier condition of monetary affairs was made, and the official quotation was further reduced to 6, at which point it remained till the end of the year.

It will readily be conceived that during a period influenced by so many disturbing causes, the variations in the price of Securities must have been considerable. The range of fluctuation in Consols during the year was about  $4\frac{1}{2}$  per cent., the lowest price touched



being in September,  $87\frac{1}{8}$ , the highest in May and June,  $91\frac{7}{8}$ . The closing price of the year was  $89\frac{1}{4}$  against  $91\frac{1}{4}$  on December 31, 1863. It may be reasonably hoped that the lessons of prudence and caution which the experience of 1864 is calculated to enforce will not be lost on the mercantile community, and that a recurrence of the fluctuations and derangements of the past autumn may not soon again be witnessed. But the demands upon the British Money Market from all quarters of the world are large and unceasing, and it is the opinion of well-informed persons that while so many facilities are offered for investing the surplus capital of the community in countries where the rate of interest is much higher than at home, the value of money in England is likely to maintain a permanently higher level than it has borne of late years, the wider circulation of capital tending, as in all other cases, to produce an equalization of prices. Provided only that the mischief of sudden and violent oscillations can be avoided, such a result may be regarded as in many points of view not undesirable.

# FOREIGN HISTORY.

## CHAPTER I.

### FRANCE.

Reception of the Diplomatic Body by the Emperor—Speeches of M. Berryer and M. E. Ollivier in the *Corps Législatif*, on the armaments of France—Speech of M. Thiers on the Address—Reply of M. Rouher, Minister of State—Speech of M. Thiers on the state of the electoral law—Speeches of M. Chevalier and the Vice-President of the Council on the question of Free Trade—The question of the Press—Conspiracy against the life of the Emperor—Trial and conviction of the accused—The Emperor's reply to the Address—Speech of M. Thiers on the Bill for fixing the Budgets for 1865—Declarations of M. Rouher on the Danish and Polish questions and the proposal for a Congress—Turbulent scene in the Chamber—Case of Lesurques, convicted of robbing the Lyons mail in 1796—Close of the Session—Trial of M. Garnier Pagés and others, for infringing the law against associations—Noble defence by M. Jules Favre.

ON New Year's day the usual official reception of the members of the Diplomatic Body by the Emperor took place at the Tuilleries. The Papal Nuncio, who spoke on their behalf, said—

“Sire,—The members of the Diplomatic Body assembled round your Majesty are anxious to express, on the occasion of the New Year, the wishes which they form for the happiness of your Majesty and your august family, and for the prosperity of France. As the interpreter of the sentiments of the Diplomatic Body on this solemn occasion, I am happy, Sire, to present to you its most respectful homage.”

To which the Emperor replied—

“I thank you for the wishes you express to me in the name of the Diplomatic Body. They are a happy presage for the opening year. Notwithstanding the uneasiness caused by questions in suspense, I feel confident that the spirit of conciliation which animates the Sovereigns will remove difficulties and maintain peace.”

In the course of a debate on the question of Supplemental Credits, in the *Corps Législatif*, on the 8th of January, M. Berryer, the veteran advocate, and one of the most powerful speakers in France, made an eloquent speech, in which he denounced the idea of France, oppressed with financial difficulties, embarking needlessly in any European war. In the course of it he said: “I speak with no feeling of animosity; I speak from the dictates

of my conscience, and in all honour. At the age which I have attained, the future is not for me. I am moved by no personal considerations; but I shall ever remain faithful to my passion for the noble and happy destinies of my country."

M. Berryer was followed by M. Emile Ollivier, himself also one of the ornaments of the French Bar, and a distinguished leader of the Opposition. He spoke of the necessity of disarming, and said: "To assure peace it was not enough to applaud the idea of summoning to a Congress all the Sovereigns, to obtain from them sacrifices and disarming. The notion of a general Peace Congress is a very noble one; and from the time of the Abbé St. Pierre to MM. Cobden and Girardin it has seduced noble minds. The merit is not its mere repetition, but the rendering it feasible. But to do so there is but one way to assure for us the most efficacious economy, and that is the reduction of our armaments—to disarm—to be the very first to disarm—and to do so courageously and sincerely. There are two modes of always endangering influence with other nations. The one is to be too weak, the other is to be too strong. The nation that is too weak is despised, and its opinion has no weight. The nation that is too strong is feared, and then those who would naturally be disunited by a feeling of prudence, approach each other and unite against those they fear. The danger of France in Europe at this moment comes from her being too strong. The consequence is, that every time she treats, every time she acts, whatever proposal she makes, people suppose that she has personal objects in view, and they do not believe in her disinterestedness. Try to convince them of the disinterestedness of France, and all difficulties will vanish; our influence will no more encounter opposition; and while you increase our prestige in the world you will have found the only real remedy for our embarrassed finances. But I warn you, you will be condemned to a last sacrifice, for neither economy, nor peace, nor disarming will suffice if you do not grant liberty to France. . . .

"When an Opposition is carping and captious, wretched and without a future, it has no object, no systematic plan; it goes on at hazard, seeking where it may be critical or offensive, constantly changing and turning round to recommence. But when an Opposition is honourable, conscientious, and full of vitality, it has an object, and this object it pursues indefatigably. Our object is liberty, and we will never cease to pursue it and recall it to you. Without liberty you cannot count upon having peace. To prove it, I will repeat the profound observation of one whose authority you will not dispute. The present Emperor, in a work remarkable on divers accounts, explains why the Stuarts fell while William III. founded a dynasty; and, among other reasons, he gives this,—'No one can for any length of time support liberty at home without giving glory abroad.' This maxim contains one of the most fundamental truths of the art of governing. When one has to do with a nation's conduct, powerful and generous like ours, aliment



must be constantly given to its untiring activity. If you do not give it the progressive satisfaction of liberty you must give it the heroic satisfaction of glory. The choice is between the two. There is no other possible. Choose between glory and liberty—the glory which is not consistent with economy, but which exacts and loves heavy Budgets, or the liberty which makes glory useless.”

During the discussion on the Address, on the 11th of January, M. Thiers delivered a long and able speech, which was listened to by the *Corps Législatif* with profound attention. He said: “On a recent occasion I said that I should ask your permission to speak on the internal politics of the country, and that I intended to avail myself of that opportunity to give some personal explanations on the motives which induced me to enter this Chamber. I know that great assemblies have more important business than listening to what concerns individuals; but I feel it a duty which I owe to my fellow-citizens, who elected me without asking for a profession of faith, and towards my colleagues, whose confidence I should be happy to possess. It is thirty-four years since I first came within these walls, and in that space of time I have witnessed a rapid succession of events, men, and opinions. In the midst of this torrent, which seemed as if it would sweep every thing before it, the social and political principles on which modern society is based have alone survived. There have been gloomy moments when order was so shaken that men wondered whether it would ever be restored. At a later period liberty seemed to have disappeared, and yet order has been re-established and liberty is about to revive. You must all have been struck with the fact that man himself, so small in the presence of great events, derives all his importance from understanding great principles and faithfully adhering to them. I have always held three great principles as the rule of conduct for every honest statesman—national sovereignty, order, and liberty. I have lived in what is called the school of 1789, which believes that France has the right to choose her own government. I think she ought to exercise that sovereignty very seldom; but when she has pronounced freely, that decision becomes a law to which individual judgments must yield. After submitting to the legal government of our country, there are two things we are entitled to demand of it—order and liberty. Without order society is troubled and industry is paralyzed. The rich can sometimes dispense with working, but society is a labourer condemned to toil for the daily bread of his children. When order and occupation are wanting, society is inclined to despotism. When liberty is absent, society suffers as much, but in a different way, and tends to revolution. Such are the principles which have constantly directed my political life. When the Republic was proclaimed I adhered to it, though it was not the government I preferred, and I added my efforts to those of the courageous men who defended order in the Assembly. Order was

preserved. France returned to the monarchical principle, and I again submitted, out of respect for the principle of national sovereignty ; but I remained in retirement, and devoted my leisure to writing with sincerity the history of my country. I should have passed the rest of my life in that work without regret, had not the decrees of November, 1861, and February, 1862, changed the situation. Till then you were here to discuss, with but little power to amend, the Bills proposed by the Council of State. You voted the Budget by Ministries, and the supplementary credits could not be known to you till it was too late to exercise any serious control. The decrees above mentioned entirely changed this state of things, and though they do not confer all the liberties we might wish, they are an earnest of further concessions, and I am grateful to the Emperor for them. As it thus became possible to freely discuss the affairs of the country, I considered that abstinence was no longer wise, or dignified, or patriotic. I advised my friends to take the oath to the Empire, but I confess that I myself felt some reluctance to leave my retirement. But it is a bad practice to give advice to others which you will not follow yourself ; and the reflection that no one could accuse me of personal ambition decided me again to enter on political life. My only ambition is to bring to this assembly the tribute of my experience, to discuss the affairs of the country with a view only to the public weal, so that the closing years of my life may not be altogether useless to my fellow-citizens."

The President.—"M. Thiers, will you have the kindness to turn yourself, so as to be heard in all parts of the Chamber. Some members complain that they cannot hear you."

M. Thiers.—"From an old habit of speaking from the tribune, I am always tempted to face the assembly."

The President.—"I spoke solely in the interest of those who do not hear you distinctly."

M. Thiers.—"After these explanations, which I would fain have made shorter, I come to the business in hand, and shall limit my observations to our internal policy, which ought to be the development of our institutions in the sense of a well-ordered liberty. First, then, let me state what is our precise political situation. We have long lived under constitutions which, when once made, were declared to be unchangeable. We have now a Constitution admitting of such improvements as time, a wiser innovator than man, may show to be advisable. The Constitution says that when a change shall be recognized as beneficial, the Emperor shall take the initiative, and the Senate give its sanction. Several modifications have already been made in conformity with this principle. The right of discussing the Address has been granted to the Legislative Body, which can thus make known the wishes of the country. We have lately heard much of liberty ; but are the wishes serious which have been expressed on that subject ? That point must be examined ; we must ascertain how far it would be wise

to satisfy those aspirations, and to what extent the present Constitution allows them to be realized. Those questions, gentlemen, are grave and delicate; but be assured that I shall respect all that ought to be respected, and that your confidence, in facilitating my task, will render it less perilous and more useful. History shows that France may sometimes dispense with liberty, but only to afterwards return to it with almost irresistible force. At one time she was naturally forgetful of her liberties; that was in 1800, after the terrible trials of the Revolution. France had before her a wonderful man, who held every thing in his own hand, and at one moment she appeared to have lost all thought of any thing else. When, however, she saw one part of her armies precipitated into the burning gulf of Spain, and the other among the icy wastes of Russia, she began to reflect deeply and sadly, and regretted those liberties which she had too readily abandoned. On the 31st of December, 1813, she called on the Emperor for peace, but her voice was not listened to. Some months afterwards the victorious enemy entered Paris, and France fell bleeding at the feet of the Bourbons. What did she demand from them? Peace, and with it the liberty of which she then felt all the value. The Bourbons again disappeared, and Napoleon returned, and from him peace and liberty were demanded. The former he could no longer give, but the latter he granted fully and in good faith. Examples have been frequently borrowed from Napoleon when victorious and dazzled by success; I must be allowed to borrow one from him when matured by misfortune. Liberty at that period could not be tried under favourable circumstances. Waterloo removed all idea of it, and an immense reaction commenced in Europe against all the ideas of the Revolution. We were then young; we sometimes endeavoured to murmur the word 'Liberty,' and the answer given was to point to the blood-stained scaffold of Louis XVI. Our reason was not, however, convinced, and we persisted in calling for liberty. In 1825, 1826, and 1827 we were near attaining our object. We approached those obscure and perilous limits where the prerogatives of the Sovereign found themselves in presence of those of the country. Twice, under different forms, did that great question agitate the country, and two thrones fell. If I may be allowed to make a comparison, I would say that the fatal question was for us what the Stormy Cape was for the navigators of the fifteenth century, who trembled on approaching it. John of Portugal, wishing to dissipate those vain terrors, changed the name of that formidable cape to that of Good Hope, and it was then happily doubled. God grant that our Stormy Cape may also change its name with equally good results. I shall not speak of our hours of agitation since 1848. We have passed through the Republic to come to the Empire. The idea of liberty again disappeared; an immense military reaction prevailed over Europe. Princes were assembled in Paris, in the persons of their representatives, to regulate the consequences of the glorious peace of



the Crimea, and for the first time liberty had a Congress for tribune and a diplomatist for speaker. That is what I call liberty of national representation. Public opinion, when it is once well known, becomes a guide for the acts of the Government. In order to organize in the State that condition of liberty, two means have been imagined—the Republic and Monarchy. In the former the chief of the State is changed every four or six years, and is responsible. The partisans of monarchy also wished to reconcile with that form of Government the condition of liberty, and they imagined the plan of making the weight of public opinion bear, not on the chief of the State, but on those who hold authority under him. It is between the latter and those elected by public opinion that the discussion takes place. The Sovereign does not change, but the Ministers may be subjected to the fluctuations of opinion, and we have thus a country which, under a monarch placed beyond the reach of our discussions, governs by himself, according to his own ideas. There are five conditions of liberty which I call necessary, incontestable, and indispensable. Which of them do we possess? Which remain to be achieved? Which ought we to have? These are questions that I am anxious to treat on. Individual liberty we have with one exception—the law of general safety. That law, it is true, only bears on one class of citizens, but when one citizen is affected all are threatened. That law, moreover, applies to circumstances which happily no longer exist.”

A Voice.—“They have just been renewed.”

M. Thiers.—“I have too much respect for the Assembly to accuse it for any of its acts; but that law no one can think of renewing, and the Government itself has no such idea. The only question is, whether it should be allowed to die a natural death in 1865, or cease to exist before that time. That must be left to the Government to decide on. I pass on to the second of these liberties which I have called necessary—I mean the liberty of the press. Gentlemen, if any man in France has suffered the inconvenience of that liberty it is I. An illustrious statesman with whom I for a long time discussed and transacted the affairs of the country, M. Guizot, felt them as much as myself; but I am sure he would confirm me when I say that the liberty of the press is necessary. I can understand without approving the principle of withholding such liberty. More than twenty years ago, when I turned my eyes to Austria, I saw a brave and well-disposed population content to prosecute commerce and agriculture, and to leave the task of governing entirely in the hands of others. The old Emperor Francis made himself popular by walking about in shabby clothes without any aide-de-camp, and talking to every one he met, and in that way he obtained a knowledge of the true state of his affairs. Such was Austrian liberty twenty-five years ago, but I ask if there is at the present time any people on earth who would be content with it. Speaking one day on this subject with the late Prince de Metternich, I told him that

populations in general preferred embroiling their own affairs to leaving them to the care of others, and I added that they were in the right, for it was only by repeated trials that they could learn to transact them properly. But is it possible to refuse to a people a knowledge of their own affairs? In this hall we are allowed full liberty of speech; we may, if we please, blame in the severest manner the acts of the Government; but the journals which reproduce our speeches are not allowed to add a word of their own. Is there not here a great inconsistency? It is as if a man should first tell a secret to ten persons, and then to an eleventh with a recommendation not to divulge it. By that system, gentlemen, the natural order of things is distorted and the springs of government warped. In a state which has been completely educated, the press, fortunately, does not form public opinion: it is only the cause of public opinion existing. When the press exaggerates, the people draw in the rein, and the exaggeration itself ensures moderation. Then the general opinion, which is only a preliminary notice, is collected together by the national representation and carried to the foot of the throne. It is indeed true that all this can only take place in a country whose education is complete; but it implies that our own education should at length be commenced. France cannot remain for ever in a perpetual infancy. We are told that the Government is exceedingly strong. That I believe. I think its material force strong enough to defy the attack of any party. Then why not profit by present circumstances? When will the political education of the country be taken in hand? The press being free in the rest of Europe, do you mean that France is to be the only nation remaining in leading-strings? But we are told that this education is already commenced, and the Minister of State a few days ago informed us that two only out of fifteen or eighteen Parisian journals supported the Government. But what is the condition of the whole of them? They are subject to receiving warnings, and if warnings do not suffice they may be suspended or suppressed. The press having the charge of criticizing the Government, is it right that the Government should have the charge of declaring what amount of criticism it will tolerate? Is that the way to commence the education of the country? I am told, also, of the license of the press. But have you yourselves suppressed that license? Have you not rather made a deposit of it in the hands of the Government, to be used against any citizen that might displease it? It is not my wish to remind the Chamber of any thing personal to myself. I do not foster any recollections of what took place a few months back. People in general have short memories concerning the affairs of others; I am content that my memory should be short also, but I wish you not entirely to forget what occurred. I pass on to the liberty of elections; and without at present treating the question of official candidatureships, I will merely say that the Government acts in this matter as it does in the case of the press. It gives universal suffrage to the

nation, but on the condition of dictating a little the choice to be made. Great homage is paid to universal suffrage in these our times. It has been made the right divine of the epoch. An appeal is made to it whenever Sovereigns are wanted, as in Italy, Greece, and Mexico. You go on to your knees before its authority; but when it is a question of electing deputies, you tell universal suffrage that it can neither read nor write; that it is tremulous and timid, and must be told what men to choose. But I shall reserve this question for another opportunity, and say a few words on the liberty of representation. I readily admit the full initiative of Government in all matters of regulation, the more so because it must be unceasingly occupied with our affairs both at home and abroad; it is always on the spot, while you are here only during a portion of the year, and, after all, the initiative of the Chamber can only be the expression of a wish. But if I concede to the Government the initiative in every thing, the Government ought to concede to us a control over all, and the usage now prevalent in all the liberal assemblies of Europe should be restored to us. A Chamber cannot be said to possess true liberty where all questions are submitted to it by the Government only. We also ought to have the power of introducing any question considered useful by the majority, and not thought dangerous by the Government."

Here M. Thiers proceeded to comment on the system of speaking Ministers, arguing that it would be far better that a Minister should have the faculty of explaining the affairs of his own department, whether with or without eloquence; and he expressed the hope of seeing M. Rouher supported in the Chamber by a few more of his colleagues. He then continued:—"Let us rapidly recapitulate the liberties which we require. To give them to the country it will not be necessary to overthrow any institutions, but only to develop those which exist. Thus, to have individual liberty, the law of public safety should be repealed; to have the liberty of the press, two or three articles of the Decree on the Public Journals should be altered; to have electoral liberty, certain objectionable practices should be modified; and to have the liberty of the national representation, the practice of interpellations should be resumed. But what is above all things necessary is the irresponsibility of the Sovereign. I am well aware that people will say to me, 'Ah! we know you well, you want to have back that wretched Parliamentary Government—that Government of rhetoricians—which exhibited during forty years the sad spectacle of a struggle for portfolios. It may do very well for England—a nation of shopkeepers—but France does not like the squabbles of lawyers.' I wish to say a word in reply to such objections. The Government of rhetoricians! I am not very partial to the expression; but when it is applied to such men as General Foy, MM. De Sèze, De Villèle, De Martignac, Royer-Collard, Casimir Périer, De Broglie, and Guizot, a man can have but one desire—namely, to merit it. Since, then, I take no offence at the word



myself, neither should the Ministers take offence, for they also are rhetoricians; you yourselves, gentlemen, applaud their speeches, and you hail the dawn of any rising talent. But the struggle for portfolios! It will be admitted that I myself am personally disinterested in this matter. But where is the epoch, where the country, in which power has not been disputed? In a turbulent republic it is disputed in the public forum; at Courts it is often the prize of secret intrigues. Was there ever an epoch grander or more glorious than that of Louis XIV.? Well, men had then to please Mme. de Maintenon. But where can power be more nobly disputed than in an assembly of representatives of men eminent for intelligence and honourable character? This is a glory that England guards with jealous care—she calls it the glory of Pitt and Fox. Let us be as intelligent as England, and let us not sneer at a glory which assuredly has done no harm to our country during forty years. The boldest man that ever lived, Napoleon I., never ventured to levy an impost unless it had been voted. At present, when the country is asked to give milliards, it becomes necessary to explain the conditions of the demand, and a general discussion cannot be avoided. When people have sought for freedom under a monarchy, they have found it in one form only—namely, individual liberty, with the right of expressing their opinions and naming delegates to discuss them with responsible Ministers under an inviolable Sovereign. Such is the Government of all free countries. The question is different with regard to the electoral law; it may vary in some countries, and be modelled to suit the customs and manners of the populations. It is not the same for the Government, as its mechanism does not vary like the electoral law. To call this Government ‘English’ is like saying that a steam-engine is an English machine. Those who make use of such language show great ignorance of past events. There are in the history of modern Europe three great epochs—the feudal, the royal, and the present one, which I call liberal. When the military government of Charlemagne passed into the hands of his successors it localized itself, and gave birth to the feudal *régime*, which was not peculiar to any one part of Europe. When society, tired of that state of things, turned towards Royal power, standing armies and Parliaments were established. The same change was every where effected, but at different dates. When the people in their turn wished to have their part of the power, England preceded us by about a century, but the whole of Europe were anxious to follow in the same path, for England has not alone the right of enjoying freedom. If liberty is an evil, why have we expended millions and shed the blood of our soldiers to give it to Italy? Why were those praises bestowed upon Austria by the official journals when she entered on the path of constitutional government? We cannot shed the blood of our soldiers every where to establish liberty, and then hear the assertion made that it is not suited to us. If it were so, we should declare that our country labours under political incapacity,

and I for my part do not accept such a declaration. Europe envies us, and acknowledges in us genius, prudence, and good sense, and I cannot think that the nation which has produced Descartes and Bossuet is unworthy of liberty. There are difficulties, we are told, in our situation, in our character, and in our revolutionary state. I admit that they exist, but they ought not to be exaggerated, and are not insurmountable. The English are said to be a calmer people than we; but that is a mistake, for England is an exceedingly passionate nation. The difference between France and England is that one is a military nation and the other is not. In France the Sovereign and the people alike have military pride, which with difficulty gives way; in England the Sovereign has as much dignity as any one, but knows how to yield at a proper time, and the people know how to wait. In France, the Sovereign in his military pride, puts his hand on the hilt of his sword, and says, 'No more concessions;' and the people run to arms, and, instead of those compromises which elsewhere conclude such crises, we have a battle, and of course, victors and vanquished. Those difficulties, I repeat, are not insurmountable; and I say without hesitation that the true founder of our liberties—and that is a title which would perfectly befit the founder of a dynasty—will be the Sovereign who shall know how to solve those difficulties. It is said, and justly, that there are others which arise out of our revolutionary state. The French Revolution overthrew more Governments than the English one. And that can be conceived easily, as the latter only gave liberty to England, whereas the former gave it to the whole world. The ground is covered with the remains of the Governments which have been overthrown. They are called the representatives of ancient parties. I am one of them, and I ask permission to take away the veil. The mission which the country has given to those representatives of the old parties is to discuss with impartiality public affairs, to watch over the finances, and to bring about useful reforms in the laws and institutions. That is how I understand the mandate confided to me. I am convinced that the country has such a desire for true and wholesome liberty that the Government which shall give it will be frankly and sincerely accepted by all. I have served an august family, now in misfortune, to whom I owe all the respect due to nobly-supported trials, and the affection due to those with whom I have passed the most brilliant part of my life. There is something which I do not owe them, and which they would not ask of me—but which the pride of my heart gives them willingly—that of living in retirement, and not showing them the spectacle of one of their servants seeking the *éclat* of power when they are in exile. There is a last thing which I call Heaven to witness they never have required, and never will ask of me, and that is to sacrifice to them the interests of my country. I therefore declare that if those liberties of which I believe the country to be seriously in need, are given to us I shall accept them, and I may then be reck-

oned among the number of the submissive and grateful citizens of the Empire. But, gentlemen, if our duty is to accept, it is that of the Government to grant what is necessary to satisfy the legitimate wishes of the people. It is with respect that I ask it, not for myself, but for my country. Let it not be forgotten that France, scarcely awakened, and with whom the exaggeration of desire is so prompt, if she now allows it to be asked for in a deferential and respectful manner, may, perhaps, one day exact it."

M. Thiers was followed by M. Rouher, Minister of State, who said:—"I have listened to the speech of M. Thiers with the respect due to one of the glories of our country, and with a deep consciousness of the difficulty of replying to it. Why, in the midst of our present calm, was that last word pronounced which still rings in our ears? Have we so rapidly returned to those evil times, when the word 'revolution' was every day repeated? This is not the first time that such words have been uttered by the hon. M. Thiers. Long years since, in the year 1847, M. Thiers startled the country by saying:—'Yes, I am a Revolutionist, and I have drawn my boat so far ashore on a lofty promontory, that it would be long before the tide could reach it.' The revolutionary wave did rise, however, and the monarchy whose memory you have recalled, was swept away. But those days have long past, and I will not dwell on them. The speech you have just heard presents three principal features. M. Thiers first made a declaration of principles, then gave a rapid history of liberty under preceding Governments, and lastly, stipulated the conditions under which he would fain see the present Government placed. The declaration of principles I accept in its fullest extent. National sovereignty, order, and liberty have been our principles, not only since the 24th of November, but from the day on which the representative monarchy was constituted under Napoleon III. With regard to the retrospective history of preceding Governments, I will freely confess that Napoleon I. did concentrate in his person all the powers of the country, and that he really intended to restore to France her public liberties. I need not say why those intentions were never realized. Then came another dynasty. What caused that to fall? Was it owing to an attempt to maintain the principle of divine right, as superior to that of national sovereignty? or because the incessant attacks of the press drove it to violate the charter? I will only say that the influence of the press at that period was immense, that it created terrible embarrassments for the Government, and that we are bound to profit by the lesson. Then came the monarchy of July, which also fell, overwhelmed by the vice of its origin and its accumulated faults. Next we had the republic, which I will pass over in silence. Lastly came 1852, when order was restored, and liberty, as you say, postponed. Is that your opinion of the Constitution which saved the country from anarchy? The Prince who traced its bases had studied the successive falls of preceding Governments, and established it on your three principles



—national sovereignty, order, and liberty. The Government founded in 1852 was a representative and democratic monarchy, with universal suffrage for its base. The powers in the State were duly balanced, and all conflicts between them rendered impossible. The Senate was made powerful by its permanence; the Legislative Body was vested with powers as complete as practicable. It voted taxes, discussed laws, and had the right of amending them. It therefore was not a mute body. From 1852 to 1860, the Legislative Body exercised a useful, not a revolutionary influence. In the changes effected by the decree of November 24, the Emperor only followed the tendencies of 1852. Thus we see, that none of the principles evoked by M. Thiers have been neglected, since the nation pronounced its decision. M. Thiers, however, declares that we have not liberty enough, and that the necessary conditions of it are wanting. These conditions he states to be individual liberty, liberty of the press, electoral liberty, Parliamentary liberty, and lastly, a Ministerial responsibility. Let us examine these points. M. Thiers says that individual liberty is compromised by the law of general surety; but what is that law? At first it contained three elements—it affected political persons who had taken part in previous commotions; it specified the offences which must be repressed in the interest of society; and it gave the Government the power of banishment, and of assigning a fixed residence in France or Algeria. The first of these faculties was relinquished by the generosity of the Sovereign in 1859. What is there abnormal in the second and third? Such is the law of general safety, a very mild measure as compared with those adopted by other Governments. Have you forgotten the exceptional laws, passed after the assassination of the Duc de Berri? Or those which you yourself introduced in 1835, after Fieschi's attempt? I do not say this reproachfully, for rigour is necessary in the presence of great crimes. Individual liberty is complete. Nothing but atrocious attempts to assassinate, could make the Government regret its generosity; but, thank God, there is no want of vigilance, and Providence protects us. I come now to the liberty of the press. That liberty exists, and is only amenable to the laws. Do not make subtle distinctions between books and journals. The revolution of 1789 was made without journals; you all know the effect produced by the pamphlet on the *Tiers-Etat*. What is a journal which daily reviews all the interests of the country, if it is not a powerful machine, exercising a considerable influence every day? It is said that journals do not make public opinion, and that is true,—they distort it.

“What is the liberty of the press? Where is reciprocity for the country? Is it not a monopolized means of aggression; a liberty without a counterpoise, which disturbs all the other liberties of the country? I have seen the liberty of the press doing its work, and giving all honest citizens, by frightening them, the liberty of closing their shops. I do not reject the liberty of the

press, but only want it to have a counterpoise; it was the want of this that overthrew two thrones. In a country where the free exercise of the individual will is favoured by the habits of the people, the Government has reserved to itself the faculty of giving warnings to journals, suspending or suppressing them. Is all liberty in France suppressed on that account, and does not the Government use its powers with the greatest circumspection? The Administration only uses a right of guardianship in the interest of all and of the Constitution. I now pass to another order of ideas, for the speech of the hon. M. Thiers seems to embrace the whole Address. I will only touch briefly on the different points, for each of the questions will soon recur, perhaps with greater acrimony, though I hope it may not be so, as I should regret to see debates unduly prolonged, which might cause agitation in the country. I therefore come at once to electoral liberty. The hon. M. Thiers says that the suffrage was universal only when Princes were elected, but that it does not exist in the election of Deputies, and he says this to you. What can be the object? Can it be to paralyze the mission confided to you by the country? My explanation on this point shall be concise and frank. We have the utmost respect for universal suffrage; it saved France by electing the President of the Republic, by afterwards giving him a ten years' term of office, and by voting the Empire. We shall therefore always regard it as the foundation of the Imperial edifice. But should the Government remain indifferent with regard to the election of deputies? What! You would not have it designate candidates to the electors? You would have the Government exposed to attacks on all sides without defending itself? No; the Government is bound to recommend candidates, and the only limit to its action are its prudence, moderation, and morality; it always chooses as its candidates men whose characters and qualities recommend them to their fellow-citizens. It will say to the mayors and other functionaries, 'You shall not use your influence against the Government; either resign your offices, or support the policy of the Government.' Any other course could only lead to anarchy. M. Thiers has expressed his intention of making this question the subject of a special debate; we will then more closely examine the principles and the conduct of the Government and the Opposition. I now come to what M. Thiers calls Parliamentary liberty. That question is difficult to discuss. M. Thiers, from his long experience in Assemblies, well knows that it is an agreeable task to tell a Chamber that it has not power enough, and ought to have the right of interpellation. But why,—when every thing can be discussed during the debate on the Address and that on the Budget? Interpellations were so frequent in the Constituent and Legislative Assemblies, that they occupied the time which ought to have been devoted to public business. The Legislative Body has all the attributes necessary for the public good, and can make its convictions triumph,

without the right of interpellation. I now come to the last thesis maintained by M. Thiers. He asserted that there can be no proper responsibility, unless the Ministers themselves appear in the Chamber, and he mixed up this serious question with anecdotes, which it is unnecessary for me to notice. M. Thiers said that a decree had rendered vacant the portfolio of the Minister of State, but that another decree might fill it again to-morrow. 'I have this hope,' added M. Thiers; 'do not deprive me of it. The Minister of State is before you, gentlemen; if his functions have been taken from him, it is because, according to the principles of the very essence of the Constitution, a Minister cannot appear before this Assembly.' The Minister of State is here, only a member of the Council of State representing the Government before you. Do you wish now to re-constitute the Parliamentary Government? I really ask myself whether I do not mistake my most sacred duty in discussing the question, when the Constitution declares that the Ministers are responsible alone to the Emperor. Article 5 of the fundamental compact, is declared to have fallen into abeyance, because it has not been applied—that is to say, that the responsibility of the Emperor is done away with, because the Sovereign, from having well-directed affairs, has not incurred it. You see clearly that you return to the Parliamentary *régime*, that you misrepresent our Constitution, which is not that charter in which the King reigns and does not govern, where the legislative power was paramount, and where, with great talent, portfolios were constantly contended for. It is such a political system which during eighteen years affected the country. Two parties were in presence: one supported M. Guizot, who formed an integral part of the Government; the other opposed, in order to take the place occupied by its adversaries. You, gentlemen, judge with disinterestedness the policy of the Government; you do not disturb yourselves with the choice made by the Sovereign. You well know that he would remove from his councils, any one who was not worthy of his confidence; you examine the affairs of the country without partiality for any particular man, and you pronounce that great and solemn verdict, which during the last ten years has caused the prosperity of France. The objection has been attributed to us, that Parliamentary government is English, and not applicable in France; but what difference does, in fact, exist between the two nations? Establish in France, if you dare, that aristocratic organization which forms a powerful oligarchy, dominates over all the interests of the country, and only allows of the expansion which goes to India or to China. England is an aristocratic nation, while in France our two fundamental laws are equality and democracy. Since M. Thiers has returned into this Assembly, to bring here the convictions of his whole life, and to propose to us the Constitution of 1830, I must be allowed to draw a comparison between the policy of the Government of July and that of the Emperor. The former occupied Ancona to quickly withdraw from it, the latter emanci-



pated Italy. The former had an embassy at St. Petersburg, but with none of the privileges of such an establishment. It met with difficulties in the Eastern question, before which it gave way. The Emperor's Government made war in the Crimea, and conquered Sebastopol. The Government of July had agitation at home to contend with, and used every effort to stem the revolutionary current which had carried it to power. No useful reform was during that time effected. The present Government has courageously made reforms; it has neither hesitated from a fear of unpopularity, nor been led away by obstinate prejudices. The country is now reaping the benefits of what has been done. Let it not be forgotten that there is in those reforms something more than the commercial question. They have had the effect of habituating every citizen to a feeling of his own responsibility. They have removed him out of that tutelage, which made him doubt his own strength, and prepared him for those political liberties, which will be conferred on him, when the proper moment arrives. Such has been the course of the Government; first, civil liberty, then commercial liberty, which are the best preparations for the political liberties you demand, but which the country is still apt to associate with the memory of the sterile agitations it so long endured. You now show yourselves impatient, but we have the right to protest against that impatience, which could only have the effect of arresting our progress in the path of reforms. We are justified in saying, 'Be patient, as the country itself is;' for the country knows that under this beneficent Government, no good idea, no useful reform has remained sterile, and that, when the proper time comes, it will enter into possession of those liberties which you demand for it."

M. Jules Favre then rose and spoke as follows:—"I ask the indulgence of the Chamber for a few moments. I wish, for your instruction, to draw a comparison between the two speeches you have heard. If these two speeches are opposed to each other, and if it is of interest to know in what they differ, it is well to remark that they agree on one point—as to the perfectibility of the Constitution. The necessity of taking a step in that direction has been demonstrated in the admirable speech of M. Thiers, and promised in the eloquent peroration of the Minister of State. This point of contact between the two speeches cannot have escaped you. M. Thiers no more wishes for a revolution than does the Minister of State, and on this point the former gentleman's speech has certainly been misunderstood. Both admit that there is progress in our institutions, the difference being that the Minister tells us to expect it from the intelligence and good will of the Sovereign, while M. Thiers, at the time that he is addressing the Government, turns his eyes to the country as a last resort. To be guided in our choice we must look to the nature of our institutions. I admit indeed that the Government has entered on the path of reforms, but there has been something still more liberal than the Govern-

ment—I mean the small group of men who have come to sit on this bench. They have combated your arguments, they have criticized your acts, they have made head against your contradictions and murmurs; and the country—that sovereign judge—has bestowed on them its approbation, as the vote of Paris at the last election was unanimous. The Minister of State cannot contest those facts; to do so, or even to criticize them, would be to question the supremacy of universal suffrage. Have we not, then, a right to say that by the side of the sovereign power there is another, which causes its will to be made known? and if so, how admit with the hon. Minister that M. Thiers's criticisms were ill-founded? Let me now say a word on the law of general safety. The Minister of State has said that it would perhaps be rash to cry out against that law at a moment when it was wanted. Allow me to say that the sad occurrence to which I have alluded, and which fills all honest minds with sentiments of horror and reprobation—that occurrence, I say, is in itself a condemnation of this law; for, if the law could not prevent such a result it is useless. I add, for the honour of our country, that among the individuals whose names have been mentioned, not one is a native of France. France is patient because she is strong, and it is not in her bosom that such abominable thoughts can germinate. Respecting the liberty of the press I shall say more on another occasion, remarking only that the Minister of State will find it difficult to reconcile his language in the Senate with that used in this place. In the Senate he eulogized the liberty of the press; here he has called the press Satanic and destructive of all Government. I wish also to observe a neutrality for the present on certain subjects debated by M. Thiers and the Minister, and only observe that if Governments in France have fallen in succession, it has been under the weight of their own faults, and when I heard the Minister of State include in the number the Government of July, I said to myself that he was arguing against his own thesis; for it was not by any exaggeration of liberty that the July Government fell, but by its fearing to confront it. As to the last words of M. Thiers, I think they have been misunderstood. They were not a provocation, but they will remain in the memory of the country, and produce their effect. All violence was far from the thought of the honourable speaker. What he wished to signalize is the absolute right which you proclaim in your speeches, but which you mutilate in your acts. Well, then, this right will one day be turned against yourselves.”

On the 14th M. Thiers again spoke on the important question of the state of the electoral law in France. He said:—“Gentlemen, two amendments were presented on the electoral system. The first has been rejected, and I now rise to speak in support of the second, not that I have the hope or the pretension to obtain its adoption, but because of an understanding come to some six weeks since, when I wished to make some observations on the elections, that I should reserve what I had to say till the debates on the Address. In

entering on this discussion the first obstacle I encounter is the allegation that our object is to weaken the moral authority of the Chamber. Allow me to remove this obstacle. The law has constituted you supreme judges in electoral matters, and you have given your decisions on the late elections. The question has therefore been definitively decided, and I declare to the majority, without the least intention of flattery, for at my time of life a man has no need to flatter any power on earth, that I deeply respect it, and bow to its decisions. I do not hold all your opinions, nor do you hold all mine. To my great regret I shall be compelled to vote against you, but I nevertheless entertain the utmost respect for your intentions. I must beg your permission to make one remark. You are in the position of a power which has not met with any serious opposition; contradiction surprises and offends you. When, like me, you shall have passed long years under the weight of contradiction you will bear it better. I now come to the point under discussion. We think that with regard to principles, the Government pushes them to extremes, and that its modes of proceeding are not all good. You will say that our opinion is open to suspicion, because the proceedings in question have been directed against ourselves. I admit this, but for the same reasons, you are also liable to suspicion. What makes me think that our opinion is not altogether wrong is that I do not see among the Ministers the individual Minister who directed the elections. I cannot think that his services would have been dispensed with, had his conduct been altogether irreproachable. This appears to justify our opinion. We shall be told that as the Minister is no longer in power our reproaches are uncalled for. I do not like finding fault, and should not now address you, had the proceedings of which we complain ceased when the Minister retired from office; but from what has recently passed, and what is now passing in the Bas-Rhin, there seems to be a kind of persistency approaching to bravado. That is why I insist on this question. I do not dispute the pretensions of the Government to have its candidates, and to manifest its preferences. I admit the principle of official candidates, but I shall perhaps be told that I do so on account of my own conduct when Minister of the Interior. It is not so, however, for I have come to this conclusion purely from conviction, without any reference to my own antecedents. . . . You perceive that we were then very severe with regard to elections. Nevertheless I accept official candidatures, but on certain conditions. Where is the foundation of the right of the Government to publicly designate its candidates to be found? I find rules for the point in free countries, and even there the right is limited. If a dictatorship exists there is no need of discussion. It is therefore, I repeat, in free countries that we must seek for the rules which serve as the foundation of official candidatures, and I look for it in England, the freest of all. There all opinions are divided into two great parties: one which impels the country towards what is called progress—a vague



word, which I do not much admire, for it may contain evil as well as good; the other wishing to prevent the country from going too fast. The former of those opinions calls itself Liberal, and the latter Conservative. In England the Liberals take the name of Whigs, and their adversaries that of Tories; in Belgium the corresponding terms are Liberals and Catholics. Both of those opinions are good, according to the time that is passing. When a country is in the background and some of its institutions out of date, as in the case of the rotten boroughs in England, the Whigs are right; on the other hand, when the forward movement is too rapid, the Tories do well to check it. Although I am not quite so old as certain journals pretend, I have several times seen the Whigs and the Tories succeed each other in power, and always for the benefit of the country. In Belgium, thanks to the foresight of the wise and prudent King who reigns there—and only reigns—the Catholics and the Liberals have succeeded each other, and repaired their mutual faults. Both have, therefore, been of use. What are the rights of those different opinions? When the Whigs are in opposition they support their candidates by means of their journals, their meetings, and their subscriptions, and they certainly do not lose that right when the party comes into power. In free countries the Government is nothing more than an opinion which has attained power, and does not for that reason lose its rights; it, however, contracts duties. In England, where there is little or no centralization, the temptation for parties in power to exceed their duty is not very strong; but in France, the resources which centralization places in the hands of the Government agents are immense, and to abstain from using them demands the abnegation of a stoic. It is your part, gentlemen, to become, if not absolute stoics, at least men who respect the duties imposed on them by their position. Of all the points of decorum that ought to be respected, the first is not to allow the name of the Sovereign to figure in an electoral contest. But you all know that, in a great number of elections, official candidates have been presented to the country as candidates of the Emperor.”

Several voices.—“Of the Emperor’s Government.”

M. Thiers.—“I beg pardon; there were some, indeed, called as you say, but there were others distinctly called candidates of the Emperor. If the contrary can be proved, I shall bow to the truth. The Minister of State said the other day that the electoral contest was only the continuation of that which takes place here among the representatives of the country. I admit that assimilation, and ask if any one of you, gentlemen, would presume to pronounce to us such a phrase as ‘The Emperor will have it so?’ No one would dare to do this. Therefore, as you would not so use the name of the Emperor in this Chamber, why should you do so in presence of electors? And in what a position you place a candidate whom you repudiate, but who is nevertheless elected! You do not contest his oath. How, then, can you say he is the enemy of

the Emperor? Why treat him as such? Who has told you that he is so? For my part, I repeat the words which were spoken here the day before yesterday—namely, that all those who entered this Chamber had but one object—to make their ideas penetrate into the mind of the Government. That is the truth, and it is wrong to say at elections that a candidate is an enemy. And the electors themselves! What will happen if you declare them all enemies of the Emperor? What will be said after the result of the late elections that during the last few years the Emperor has made himself two millions of enemies? As I wish to avoid strong language, I shall content myself with repeating, that to call a candidate or electors enemies is to commit a great imprudence; and I dwell on the point because it is desirable that all abuses of language should be suppressed, the more so because when moderation is lost sight of in speech, it is often violated in act; and it may be feared that those who so abuse the name of the Emperor may be forced into active measures of a more serious character. We make an immense concession in allowing you your official candidatures; but we give them only on condition of the most rigorous abstention on your part. Without that moderation the danger would be considerable in presence of our system of centralization. Of that centralization I myself, as every body knows, have been the defender; it is the principle of French greatness; it has given us clearness in our accounts, order and immediate readiness in our means of action, as was seen when France decided on war in the month of March 1859, and had 200,000 men in Italy in the first days of April. I do not wish to compromise this centralization. I remember what a great diplomatist, M. Pozzo di Borgo, said to me on this subject in 1830. I was complaining of the Treaties of 1815, and he said, ‘You complain that we have taken from you a part of your territory, but we have left you a unity which gives you an immense force, and which will one day become a danger to ourselves.’ I replied to him, ‘You have left us that unity because you could not take it from us.’ Therefore, as it could not be taken from us, let us not fling it away ourselves. Allow me to indicate briefly the basis of centralization. In the administrative class you have the prefects, sub-prefects, mayors, and all their agents. If we allow all these functionaries to be nominated by the State, we think it necessary that the mayors should be taken from the municipal council, and that they should not be removable at the pleasure of the Government. In the judicial order you have the non-removable judges, who are worthy of all respect, and the removable functionaries, as honourable, but dependent. I can understand that these latter should be at the disposal of the Government; they do not pronounce judgments, they merely administer justice. But attached to these Courts there are the notaries, advocates, huissiers; and you know well what is the influence of a Procureur-Imperial. I have here a letter from a huissier of the Bas-Rhin, where an election is now

about to take place, and he declares that he cannot act, by reason of the menaces he has received. Next, there is the finance department, where the subordinates are numerous and constitute a great power in the hands of the Government. The Ministers of Marine and War are also very powerful. The former holds in his hands the fortunes of the men serving on board, and might in a few hours send a certain number to sea—”

M. Rouher, Minister of State.—“For electoral purposes? A Minister who should do that would be impeached.”

M. Thiers.—“I might quote facts did I not fear to go beyond the bounds of respect. I endeavour to be courteous towards my adversaries, although you are sometimes hard on yours. I have no wish to weaken any part of the French Administration, but in the election of Cambrai, which was annulled, was there not a circular which proves the power exercised by the Minister of War over the conscripts? In our country the State, in fact, does every thing; at one time it encourages science and the arts, and at another assists communes by the construction of a road, or by endowing it with a school. When such a power interferes with the electors of universal suffrage, what becomes of liberty of voting? All the innumerable agents of the State who were living quietly among the people, become on the eve of elections, by orders received from Paris, first silent, and then hostile. As far as regards myself personally, I have seen agents of the authority with whom I have been on friendly terms, compelled to tell the country that I was a dangerous man. I accept official candidates; but on condition that the law be respected. The execution of the electoral law is very difficult in France, because it so frequently changes. The Government has a right to trace out the circumscriptions; but is it proper that on the approach of a new or general election those districts should be changed, in order to favour particular candidates? With regard to electoral lists, there are some localities where they do not exist, as was proved during the late verification of qualifications. Is it true that the publications made by the non-official candidates meet with impediments which their Government opponents are not subjected to? If so, the mayors ought to receive more formal instructions. The law enacts secrecy for the vote, and that the bulletin shall be written out of the balloting-room, and be deposited in the urn by the elector; and yet there may be seen on the table of the office packets of the bulletins of the Government candidate, but none of his opponents. When I concede to you official candidates I can only do so on condition of respect for propriety, abstension from the means of action at the disposal of the Government, and strict observance of the law. If you do not accept these conditions, I cannot accord official candidatures. We are in presence of universal suffrage, which is a dangerous institution, and the Government ought to have the means of directing it. In giving that suffrage have you given liberty or the contrary? If the former, do not employ the means



you now adopt. I know not what the result of universal suffrage may be in the future, but I see what it is now. I am convinced that if fewer attempts were made to enlighten it there would, perhaps, be more means of control in the bodies of the State, and, instead of sacrificing the Government to which you are attached, you would perhaps save it."

The President.—"The Government has no fear of being sacrificed, and has no need of being saved."

M. Thiers.—"Do not distort my meaning."

The President.—"I have made that observation to you because I am sure that you will give a satisfactory explanation."

M. Thiers.—"Let there not be sought for in my words any idea of a threat of any kind. Nothing so ridiculous has ever entered my mind. What I wish to express is not a menace but a warning."

M. Rouher.—"Let me be allowed to say something also on the question of official candidates, and reply both to M. Jules Favre and M. Thiers, the more so that the difference of opinion which existed between these two orators seems to have disappeared by the last observation made by M. Thiers. M. Favre does not admit such candidatures at all; M. Thiers does, but on condition that they shall be merely platonic. The difference is not so great as to oblige me to consider those gentlemen in the light of two distinct adversaries. Let me, then, consider the right of intervention of the Government in elections, and the means this latter ought to employ, and also the part played by the Opposition during the last elections. I shall then examine the results, and endeavour to deduce from it the political bearing of the election of the 31st of May. As to the right of Government interventions, I have already defended it elsewhere, and affirmed it here a few days ago. The Government cannot remain a passive spectator of an operation in which its existence is at stake, as well as its policy; an operation in which unexpected complications and secret passions may be brought into play, and during which imprudent promises may be whispered into the ears of misery or excitement; an operation which sets ten millions of electors in motion in the midst of conflicting passions, the consequences of which might become dangerous. The passiveness of the Government in such a question would be tantamount to abdication, and to this we cannot consent. The intervention of Government at elections is justified by common sense and the nature of things, as well as by tradition; and to prove this I will merely quote all the declarations made on this right under the system which was the cradle of that constitutional monarchy which you love so much—the Government of July—and also under the Republic. If these quotations are not useful to the Chamber, they will be so out of doors. In 1816 Duke Decazes wrote to the prefects:—"The confidence of His Majesty in the prefects will not be deceived. They will leave nothing undone to keep away from the Chamber about to be elected both the enemies of the throne and the legitimacy, who are desirous of overthrowing

one and destroying the other; and the imprudent friends who have the pretension of serving the King otherwise than he wishes to be served.' On the 20th of January, 1824, the Minister of Justice wrote to the Procureurs-Généraux: 'The Government requires the Procureurs du Roi, the officers of justice, and ministerial officers to co-operate loyally, actively, and efficaciously in the elections. The Government appoints to public offices in order to be served and seconded.' On the 20th of March, 1826, M. de Martignac, in his report on the Bill relating to the permanence of the lists, declared that 'the influence of Government over elections is necessary to counterbalance that which is exercised against it, and that it could not, without failing in its first duty, give itself up unarmed to its adversaries.' We come to 1830; a revolution has occurred, passions are over-excited, the electoral struggle begins, and M. Casimir Périer, Minister of the Interior, writes to the Prefects 'that the Government does not intend remaining neutral in the elections, and that the Administration must not remain so either. Between the impartiality which it must always observe,' he adds, 'and neutrality, the distance is immense.' I would not quote M. Thiers's opinion. He has described the elections of 1834 with great sincerity; as to his exactness, M. Glais-Bizoin, who was elected in 1834, will tell him that he considered those elections to have been the most detestable and odious operation possible."

M. Glais-Bizoin.—I think so still.

M. Rouher.—"Has time filled up the gulf that existed between you and M. Thiers? I should not be astonished if it had, for of late I have observed that time has filled up abysses still deeper than that. In 1834, as I was saying, the election took place in the midst of an agitation caused by events that had ensanguined the streets of Lyons and Paris; and the same principles were prevalent. In 1846 Count Duchâtel wrote on September 6:—'There are certain absolute opinions which pretend that the Administration ought to remain impassible and inactive during the elections. No Cabinet has ever done so; we do not complain of attacks, but what would become of a Government which, when unremittingly assailed, should abstain from defending itself?' The elections took place, and were verified with extreme ardour. Doubtless, M. Thiers himself did not find that all proprieties had been respected, for the word corruption resounded throughout the whole of France. The year 1848 arrived. M. Jules Favre has not recoiled from the task of defending with his great oratorical energy the acts of that epoch; he has told us that the Government of those days had no official candidates; that it exercised no pressure on elections; that it saved France, and that it found all Frenchmen rallying themselves around it with an ardour unknown under a monarchy. And can you then affirm that the Government of 1848 did not intervene at elections? I assert that it not only exercised its rights, but even abused them. A few citations will show this. In the month of March the Minister of the Interior wrote to the Commissaries of

the Republic, 'You must now occupy yourselves with the elections—your powers are unlimited; agents of a revolution, you also are revolutionary; the victory of the people has imposed on you the mandate of consolidating the work in the name of public safety.' Public safety! A sinister expression which carries us back to another epoch! On March 15th the second Bulletin told the Commissioners to be on their guard against the Royalist party. We were the Royalists of those days. 'Paris,' said that Bulletin, 'is the heart and the brain of France.' At the period I speak of, M. Thiers was by my side; no, he was above me, and I followed his counsels—a devoted soldier in the campaign of order which we were then making against Socialism and anarchy. Notwithstanding the violent language which I have quoted, Paris did not obey. The Parisians when led astray are soon brought to bitter repentance, as they were after the 24th of February. They resisted, and M. Caussidière, the Prefect of Police of that day, said to the commissaries under his orders, 'Tell your stupid citizens'—I am quoting the very words—'Tell your stupid citizens, tell your National Guard, that if they have the misfortune to incline to reaction, there are 400,000 working men ready to raze Paris to the ground, and for that no muskets are necessary—lucifer matches will suffice.' I am aware that this language was disavowed by M. Caussidière himself in the Constituent Assembly during the inquiry into the affair, but contrary evidence was supplied by the courageous M. Quentin-Bauchard, charged with that mission by the Assembly. And now we are told that the Provisional Government saved France. I admit that there were honest and good men in that Government, but there were with them others who had brought about the Revolution, and wanted to turn it to the advantage of their own ambition. Many men connected with that Government were afterwards found behind the barricades in June, in the insurrection which caused the death of 8000 or 10,000 men in Paris, and deprived us of more Generals than fell in the battle of Moskowa. But to return to my subject. I have proved that the Government is bound to interfere in the elections, and it has fulfilled its duty by recommending candidates. The same thing was done, but in a more covert manner, under preceding Governments. Is it not better to act openly? I have said that the Government candidate ought to be the man who stands highest in the esteem of the electors of his circumscription. I am most decidedly opposed to forcing any stranger on the electors. But in the case of electors who are little versed in political affairs, is it not reasonable that the Government should point out a man worthy of their confidence? Must such a recommendation necessarily have the result of placing a deputy in undue dependence on the Government? The Government said to you, 'You know our policy, our acts, and our aim; do you think that you can consistently lend it your support, and honestly control its acts, as faithful friends who enlighten it with their counsels, not as ardent enemies ever ready to blame? We



shall never ask you to do any thing dishonourable ; if we did, it would be your duty to refuse. But you will support us against the attacks of our enemies.' Does this contract lie heavy on your consciences ? Has not the Opposition also its engagements ? Is it not expected to follow a certain line of conduct ? It does so honestly. Why can it not suppose the same honesty in others ? Now, what is the limit within which the Government ought to act ? The action of the Government must be proportioned to the activity of the Opposition. Where the Opposition is moderate, a vigorous intervention of the Government would be a fault ; but where the Opposition is ardent, where facts are misrepresented, it is the duty of the Government to replace misrepresentation by truth, passion by reason. During the late elections the two principal arguments of the Opposition bore on the state of the finances and distant expeditions. I shall have a more fitting opportunity to treat of the latter, and will, therefore, for the present confine my observations to the finances. In their professions of faith, the Opposition candidates represented our finances as ruined by wasteful extravagance, they promised fabulous reductions of taxation, and asserted that an economy of 600 or 700 millions might be effected in the Budget ; they added that if the candidates of the Government were elected, all the old taxes would be doubled, and new ones imposed on poultry, ploughs, and every implement the labourer uses. In one department the electors were informed that there was to be a tax on plum-trees. Without setting myself up as a judge of the morality of such measures, I may simply remind the Chamber that they have been loudly blamed by a person of high political rank. 'Any candidate who shall promise reductions of the public charges to an exaggerated extent will create formidable difficulties in the future, and will show himself a bad citizen, worthy of general reprobation.'"

M. J. Favre.—"Who said that?"

M. Rouher.—"It was M. Dufaure who gave that lesson of financial morality to the candidates of the 31st of May. What have been the means of action of the Opposition at the present day ? It has been sought to intimidate public functionaries by printing in large capitals the penalties to which they might be exposed ; instructions have been given to control vigilantly the composition of the bureaux, and to take note how the ballot-boxes were guarded ; audacious demands have been made to affix personal seals to the urns, as if the legal authorities did not offer sufficient guarantees ; and in some localities, where the presidents of bureaux were weak enough to allow of these seals, what were the devices ? Sometimes a Phrygian cap, sometimes a levelling plane, sometimes an effigy of the Republic. When such things are revealed to us, we may understand that in the lower strata of society there still exists ideas of hatred and violence ready to break out on the day when the hand of authority shall be weakened. In other places the halls have been invaded, the scrutiny made without any guarantee,

and in contradiction to the dispositions of the law, which we, as well as M. Thiers, desire to see respected. And in pronouncing the honourable name of that gentleman, I may say that I am not surprised at his scruples and emotions when I remember his extreme distrust about his own election, and about the manœuvres of Government. So great was his uneasiness that in a circular addressed to his supporters he recommended them to ascertain that the boxes containing the Bulletins had no double bottom. Such is the degree of distrust produced by a long habit of criticizing without acting. The Government has shown no such ardour; it has contented itself with defending without attacking. The Government has its agents and a powerful organization; it is a head with a thousand arms exercising pressure on the electors; there, in the eyes of M. Thiers, the danger begins. I will reply to him that what was dangerous with 200,000 electors is no longer so with 10,000,000. I can understand that in 1846 M. Thiers should have been pre-occupied about the means of combating the Opposition; for at that time there was a Chamber of functionaries, copyhold electors, votes capable of being made subservient to private interests and ambition. Corruption was possible in those days; but now it is impossible to corrupt 10,000,000 electors going freely to the poll. Were I not afraid of fatiguing the Chamber, I would enter into more details on the respective situations of the Government and the Opposition. The Opposition has on its side all the disappointed ambitions and impatient aspirations; the Government has only right and justice. . . . Such, therefore, has been the result of the elections. Why is so much noise made about them? Why all this ardour for new liberties? Because 600,000 electors have refrained from abstension. Paris has voted for the Opposition. I do not intend to discuss that vote. If Paris has been guilty of ingratitude towards the Government of the Sovereign who has made of this capital the Queen of the civilized world, I am not astonished or afflicted. If it has too lightly regarded the intelligent sympathy which the Emperor has always testified towards it, he may also have his day of reaction. With regard to the distinction which some hon. members have sought to draw between the votes of the towns and those of the rural districts, I might, if I were to go into that part of the discussion, readily show that in towns having a population of more than 5000 souls the official candidates obtained more than 600,000 votes, while you only count 500,000, but I should think I committed a blasphemy if I were to seek to establish a distinction between the 2,000,000 votes of the towns and the 8,000,000 of the country parts. The farmers, whose sons shed their blood on fields of battle, show themselves more grateful towards the Emperor. The remark has been made that the elections of 1863 had a political significance, and that they announced a serious return towards ideas of liberty. Doubtless, the result of them shows liberal ideas. And why not? They are also those of the Government. It was the Emperor who gave the

signal for these ideas in 1861. Who made the first step towards liberty if it was not the Emperor? Who did it without its being demanded, I do not say by menace, but even by prayer? It was the Emperor who first hoisted the flag, not to afterwards let it fall in the mud, but to fix the staff of it in laws which effectually guarantee liberty and order. Those liberal aspirations belong to the majority and to the Government. What signification is to be attached to elections which have returned Opposition deputies? I do not attack them or doubt their intentions; they have taken the oath, and stand on the same footing as their colleagues of the majority, but what do we find beyond their elections? At the house of the person who wrote the phrase, 'The Empire cannot last,' a meeting was held, at which the question was started whether the oath ought to be taken. The example of England has been frequently brought forward, and her liberties boasted of. Have political men ever met in that country to discuss whether they should take the required oath? Do you think that in the words of affectionate sympathy, mingled, perhaps, with a little repentance, which you have here made use of, you have revealed the secret of all those who turned towards the exiled family of whom you spoke? That family feels its weakness, but it has its actions, its views for the future, and its hopes. It has not given its resignation. And the Socialist party of 1848, is it not still standing? Has it not its chiefs? Has it not recruited its numbers from the amnesty which the Emperor has in his generosity granted? That party has still its chiefs, its emissaries, and its hopes for a more or less distant future. Can you in presence of such facts advocate liberties which might tend to produce disturbance? During the last two days we have heard in this Assembly a prayer, weak, it is true, in favour of liberty. It is asked for respectfully, but with a warning that it may be one day exacted. Constitutional and Legislative liberty is wished for. The Constitution of 1852 is the legal expression of the present state of things. Art. 3 of that document states that the Emperor governs, under the control of the Chambers. He governs, and he will not allow himself to be deprived of that right, and bend to antiquated maxims which have led two thrones into exile and mourning."

M. Thiers.—"It is despotism which is antiquated."

M. Rouher.—"He has not re-established the throne with the idea of not governing, or of delivering up power to the oratorical passions that agitate assemblies. He governs, and he will govern. As to the liberty of the press, of which there is more than you choose to admit, wait for its development till the respect for institutions and for the dynasty shall have taken as deep root in the hearts of the people as in England. But, till that happens, do not seek to disarm either the Government or the country. Gentlemen, before coming here this day, I was present at an imposing religious ceremony, the presentation of the hat to the new Cardinal-Archbishop of Rouen. The Emperor addressed the following



words to the new Cardinal. (Here the Minister cited the language used by the Emperor, and then concluded as follows.) Well, then, gentlemen, this Constitution which has done so much, respect it, obey it, and do not seek to introduce, under a pretext of making it more perfect, modifications which would subvert it. Do not seek to arrive at such a result as the placing the pyramid on its point, instead of on its base, as the Sovereign has wished to place it."

The President afterwards put to the vote the first paragraph of the Address, which was thus worded:—

"Sire,—The Legislative Body participates in the confidence with which you are actuated by the renewal of its powers. In spite of the sharpness of the struggle, the populations have shown that they still remain deeply devoted to the Imperial institutions, to your person, and to your dynasty. In coming to take our part in the examination of public affairs, we shall never lose sight of those principles and sentiments, and we will act in concert with you in such a manner as not to weaken them."

The paragraph was adopted by the Chamber.

On the question of Free Trade a long debate took place in the *Corps Législatif*, in the course of which several curious and interesting facts were brought to light as to the effect of the Treaty of Commerce between France and England concluded in 1860. M. Chevalier said: "When I yesterday read in the '*Moniteur*' that the receipts of the indirect taxes for the past year exceeded those of 1861 by 144 millions, and those of 1862 by 53 millions, I certainly did not expect to hear the same day that the Treaty of Commerce with England was ruining our manufactures, our merchant navy, our agriculture, and our commerce. A people able to pay such considerable sums in voluntary taxes, instead of being almost ruined, must be in a high state of prosperity. In the first eleven months of 1863 our exports amounted to 2230 millions. They were 1978 millions in 1862, and 1700 millions in 1861. The difference in our favour was therefore 533 millions between 1863 and 1861, and 270 millions between 1863 and 1862, notwithstanding the war in America. M. Pouyer-Quertier compares these figures with those for 1859, the last year of protection, when our exports were 2266 millions, but from this total we must deduct 151 millions for corn. Nor is that all. In 1861 our trade with America suffered greatly; from 368 millions in 1859 it fell to 88 millions. To make the comparison fairly, we must strike off 200 millions from 1859, otherwise we should take no account of the effect produced on our manufactures by the American war. Then, again, the returns for 1863 only include 11 months, and must be increased in proportion. After making these allowances, it will be seen that our exports have increased considerably. On a fair calculation, it is evident that we gained 700 millions at least since the Treaty of Commerce. It has been said that France is impoverished by being compelled to export specie in payment

for foreign produce. This is a mere repetition of the exploded fallacy of the balance of trade. Wanting cotton, we are obliged to get it from Egypt, Turkey, and India, countries which will only take specie, and we gain by the exchange, as it enables our operatives to live, and promotes trade at home. We are not so badly off as was asserted yesterday. Look also at other industries. Our coal mines now produce 10 millions of tons yearly, which they never did before. As to the woollen manufacture, the explanation given yesterday is inadmissible. Two years ago the representative of Roubaix repeated here the lamentations of the Chambers of Commerce. But what has happened since? Never has Roubaix enjoyed such prosperity as at present. We are told that this prosperity is owing solely to the scarcity of cotton. On this head I reply that we now export woollens to the value of 100 millions more than in 1859, which shows that we are fully able to compete with England in that branch also. With regard to cotton goods, I have to remark that England has sent us one-half less this year than last. Our markets are, therefore, not overwhelmed with English products. Having said thus much in reply to M. Pouyer-Quertier, I now proceed to defend the Treaty of Commerce, and consequently the language of the Address. We have heard much of sacrifices. I will show you what sacrifices the country makes under the protective system. The other day we heard great lamentations about the expense of the Mexican expedition. Well, if France economized only one-half of the mysterious bounty which she pays in a year to protected industries, it would cover the cost of the war in Mexico. The Treaty of Commerce has reduced the secret bounties paid under prohibition by very considerable sums, which have been expended in the consumption of other articles, to the great increase of the general wellbeing. To the relief thus occasioned I attribute the greater part of our increased revenue. I now turn to another subject, and I regret that our eminent colleague, M. Thiers, should be leaving the Chamber, as what I am about to say will, I believe, interest him. (M. Thiers, who had risen to go out, immediately sat down near the speaker.) The amendment has received considerable support by the signature of our illustrious colleague, of whom I shall never speak but with the greatest respect. Most of those who have attached their names to it are men who pretend to guide us in the way of liberty, in which they think we are behindhand, and nevertheless, in my opinion, the amendment is an attack on liberty and on property. Our eminent colleague has pointed out the conditions necessary to constitute liberty in free countries, but he has forgotten the most important of all, and one inscribed among the great principles of '89—liberty of labour. It is one which presents no danger, for it requires order and security. England is every day held up to us as an example; why not, therefore, follow that country as regards freedom of commerce and labour? No branch of manufacture is there pro-

ted; the customs' tariff of England is, since 1860, the most simple of all, as it is contained on a single sheet of paper, while ours fills a volume. The former bears on the following articles:—chicory, chocolate, coffee, corn, currants, figs, pepper, raisins, and prunes, spirits of different kinds, raw and refined sugar, molasses, tea, tobacco, wine, and timber. In those articles, which produce a sum of 600 millions of francs, there is not a single branch of manufacture protected."

A Voice.—"The English do not require protection."

M. Chevalier.—"That is more easily said than proved. I have resided in that country a long time, and I can assure you that twenty-five years were required for it to achieve commercial liberty. The silk manufacturers in England long demanded protection against ours, but they at length found that competition would lead to great improvement in their articles, and they gave up their opposition. I have said that the amendment is an attack on property, and I will endeavour to prove it. The suppression of the sliding scale was voted, and very properly."

M. Thiers.—"No; that I deny."

M. Chevalier.—"Our agriculturists are no longer protected, but when they require to purchase farming implements they must pay a duty, and they are in that manner attacked in their property. I go further, and say that France has no need of protection. She has 38,000,000 of inhabitants, of whom 20,000,000 are agriculturists, who do not ask to be protected, and there are 8,000,000 of workmen who do not ask for it. There are, moreover, 8,000,000 of persons devoted to the liberal arts—physicians, advocates, &c., who ask for nothing except that they may not have to pay dear for what they want. Ask the remaining 2,000,000 of men employed in large manufactories whether they stand in need of protection, and they will reply in the negative. Suppose it were announced to you that for each branch of manufacture a machine had been invented which would reduce the cost price by 10 per cent., would you oppose the introduction of such an improvement? Certainly not. But it is precisely such a saving that Free Trade effects. A celebrated writer on political economy, now deceased, M. Bastiat, had enunciated this rule, which cannot be contested—that when the produce is dear labour is cheap, and when the produce is cheap labour is dear, and the part attributed to wages augments unceasingly. The reason is, that when prices are low for goods the quantity produced is so great that where a middling workman was found previously you must place several able ones, and of course pay them more."

M. de Forcade La Roquette, Vice-President of the Council of State, said:— . . . "The new economic system has not entailed ruin on the country. The only question now raised is, whether the Chamber shall give to the Emperor's Government, a testimony of approbation for the reforms which have been accomplished. Facts fully justify the paragraph of the Address. It is well that



the Chamber should accept words, saying that France, which had felt doubts of herself, has now faith in the future. That is the idea which must be disseminated through the country, for the persevering efforts of our activity will be for France, not only a cause of wealth, but also one of glory and of honour. I will now proceed to show the general results of the Treaty of Commerce. From 1827 to 1836 the general foreign commerce of France was 1365 millions, imports and exports together. From 1836 to 1846 it amounted to 2112 millions. That is the average amount per annum. In 1847 the figure of foreign commerce was 2600 millions; under the Republic, in 1851, it had fallen to 2100 millions. In 1856, under the Empire, it had risen to 4487, in 1857 the figure was 4900, and in 1862 it was 5500 millions. I only speak of recognized values. Such, gentlemen, has been the progression, and it signifies that, with such an expansive force, the country could not fear competition at home with protective duties, when it could compete with other countries abroad without them. Let us examine in succession the exports of France to England, and those of England to France. Taking our figures from the latest decennial periods, we find our exports to England, from 1827 to 1836 at a mean term of 65 millions; from 1837 to 1846 of 97; from 1847 to 1856 of 239. In 1859 our exports had risen to 591 millions; but in that year there was an exceptional export of 100 millions, in grain and breadstuffs. In 1862, after the Treaty of Commerce, our exports rose to 619 millions, but here also we must take into account 15 millions in grain; thus leaving the figures for 1859 and 1862 at 491 and 604 respectively. During the three years that preceded the Treaty of Commerce, our exports increased by about 200 millions, but there the progress stopped. In 1863 a fresh development took place. In the first eleven months of 1863 our exports rose to 706 millions, being an augmentation of 300 millions since 1859, a greater advance than was made in the whole period from 1827 to 1861. Let us now turn to the imports of England into France. These imports are not always viewed with favour. Some economists say that it is most profitable to sell as much and buy as little as possible. There is, however, one thing evident—viz. that a great commercial country, both producing and consuming, must necessarily both export and import. Labour and well-being are necessarily connected; the labouring classes, after having produced, desire to consume, and we must find means to satisfy that want. Let us then examine these imports without prejudice. The imports of England into France from 1827 to 1836, were about 22 millions; from 1837 to 1846, 80; and from 1847 to 1856, 110. The increase was inconsiderable during this last period, by reason of the Revolution of February, for a poor country does not buy much. The imports were only 28 millions in 1848; they rose gradually under the Empire, and stood at 250 millions in 1856. The average term of imports for the years 1857, '58 and '59, was 287 millions. In 1862 they rose to 523

millions—an increase of more than 200 millions, but attributable to a special cause—namely, the American war. The cotton which we received directly from America, now comes to us from the depôts at Liverpool. In 1862 we bought 73 millions worth of cotton from England, while before the war we bought for two or three millions only; so that we must deduct these 73 millions from the account. In 1863 affairs remained stationary. Such, therefore, is the result of the three years' experiment. English imports have increased by about 160 millions, and our exports have increased by 300 millions. May it not then be said that France can rely on her own strength, and look to the future with confidence; and ought not the Address to contain an expression of thanks to a Government that has conducted reform to this favourable issue? . . . .

“To return to English imports. They comprise 114 millions in silks and floss-silks, then 73 millions in wool cotton, cottons in great quantity, metals, coal, raw skins, raw material, &c., to an amount of 300 millions. The raw material we transform, and sell again at a high price.

“Now let us see what we send to England. In 1862 we exported silk tissues for 154 millions, woollen cloths for 65, dressed skins and articles made with them for 42, haberdashery for 31, and articles of dress and toilette for 20 millions. It is thus that we take from England rough and gross materials, and return them in the form of costly articles of luxury. Nor is that all. We also send to England the produce of our soil in wine, fruit, and grain, for France stands not only in the first rank of nations by her industry, but also by the bounties of nature. . . .

“Several large branches of manufacture expressed great alarm at the Treaty of Commerce; they were principally those in iron, cotton, woollen, hemp, and linen. With regard to the first-mentioned, I am aware that there have been some individual sufferings, but, taken in the whole, that branch of business has improved by the trial. The iron and steel imported from England amounted in 1861 to 16 millions; in 1862 to 33, and in 1863 to only 16. Has the production decreased in France? First take cast iron. In 1858 the quantity produced was 871,000 tons; in 1859, 856,000; in 1860, 898,000; and in 1862, 1,052,000. The increase in 1863 may be estimated at 100,000 tons. A similar result has taken place in other kinds of iron, and the paragraph of the Address is right in saying that France has confidence in herself. As regards cotton, a greater degree of alarm was felt among manufacturers. It has been said that there is no discussion possible on that subject, as the article is not to be had, and that the scarcity of cotton has saved us from the danger. That peril has been perhaps greater than if the supply had not failed. Let us examine what has occurred. The American war began in 1861. England then held a considerable stock of cotton, and that year she exported cotton fabrics to the amount of 1,273,000,000f., in the following year 845

millions, and 904 millions in 1863. Of these exports France received to the value of 8,200,000*f.* in 1861, 12,350,000*f.* in 1862, and 4,800,000*f.* in 1863. The imports of English cottons into France have therefore diminished. France has also exported cottons, and even sent more to England than she received. The general exports of French cottons were 49 millions in 1861, 56 millions in 1862, and 65 millions in 1863. Of these, three millions were sent to England in 1861, five millions in 1862, and ten millions in 1863. Our manufacturers are, therefore, more skilful than they think; they have acquitted themselves as Frenchmen always do, when competing with foreigners in the great applications of intelligence and genius. The woollen interest was also greatly alarmed; it had always been protected till the Treaty of Commerce. Roubaix, Elbœuf, and Tourcoing, were afraid of the competition which was destined to show their superiority. In 1861 England sent to France woollen goods to the value of 15,900,000*f.*, 34 millions in 1862, and 21 millions only in 1863. Before the Treaty of Commerce France exported woollen tissues to England, and the average value in the three years previous to the treaty was 32 millions. These exports rose to 65 millions in 1862, and to 75 in 1863. So that, while the English imports diminished, the French exports have increased. According to all the trade reports, and the opinions of the most competent judges, the superiority of Elbœuf, Roubaix, and Tourcoing, is great and indisputable. The Treaty of Commerce has therefore revealed to France the strength of her productive powers. Our hemp and linen manufacturers also dreaded the competition of English products. Our exports in this branch have nevertheless greatly increased. They were 16 millions in 1850, but reached 37 millions in 1863. . . .

“The experiment has been made, and the industries menaced have held their ground against English competition, they have been developed at home under the protection still afforded them, and abroad without protection. For you must not lose sight of the fact that, if you can protect industry at home, you cannot do so in the world at large, and recollect, that if France is a great market, the world is a still larger one, and you cannot maintain your place there without resolutely entering on the path of competition and liberty. There lies our path in the future. I will conclude with a remark which is connected with politics and the wishes you have often expressed. We have lately heard much of peace within these walls. Well, do not forget that the multiplicity of exchanges and national independence are the best guarantees of solid and durable peace.”

At the sitting of the *Corps Législatif* on the 22nd of January, M. Granier de Cassagnac, in reply to M. Jules Simon, said he considered the press as a dangerous power, and as an institution to which no strong Government should grant liberty, but only a toleration, regulated by the Administration. “Cowardly Governments,” he said, “have alone been able to believe in the liberty of the press and this liberty has overthrown them.” M. de Cas-



sagnac declared the press law of February, 1852, to be a just, good, and necessary one, and censured the Government for the toleration which it granted to the journals with regard to the reports of the proceedings of the *Corps Législatif*. He further said it was necessary to maintain and execute the law as it now stood.

M. Émile Ollivier stated that he and many of his friends were in favour of the responsibility of the chief of the State. He declared that the press was not the cause of the fall of the Governments, and was only fatal when not free.

M. Rouher stated that at present no modification of the press law was possible, and said:—"The Emperor may at some future time be enabled to modify the law of 1852."

Early in January, a conspiracy against the life of the Emperor was discovered, and four persons were arrested in Paris, whose names were Greco, Trabucco, Imperatori, and Saglio or Marpholi, all Italians, who arrived in France at the close of last year, bent on their murderous enterprise, and furnished with explosive shells, similar to those which were made use of by Orsini, when he attempted to assassinate the Emperor in 1858.

Papers were found on the person of Greco, in the alleged handwriting of the Italian demagogue Mazzini, which directly implicated him as the instigator of the plot—and Greco asserted that he had had an interview with him at Lugano, when the details of the diabolical plan were arranged, and money was furnished to him by Mazzini. The conspirators had made a careful inspection of the approaches to the Opera in the Rue Lepelletier, and of those of the other theatres which the Emperor was in the habit of visiting. They had closely examined every place which gave access to the Palace of the Tuileries, and repeatedly visited the Bois de Boulogne when the Emperor went to skate. Their plan was that, whenever the opportunity presented itself, they were to throw their shells under his horses' feet, and at once to rush on him and his attendants with their revolvers and poniards. Greco declared that the poniards, which he had received from Mazzini, were poisoned. It is, however, right to state, that Mazzini, in a letter written in this country, strenuously denied all participation in, or knowledge of, the affair, although he admitted that he had a slight personal acquaintance with Greco. When the foiled assassins were examined before the *Juge d'Instruction* Greco is said to have blasphemed, foamed at the mouth, cursed himself for having failed, and declared that there were others bound like himself by oath, to complete the crime.

The trial of the conspirators took place in March, when they were all convicted—but none of them were sentenced to capital punishment.

On the 1st of February, a deputation from the *Corps Législatif* brought up to the Emperor, at the Tuileries, the Address in reply to the Speech from the Throne in November last year. The Emperor said in reply, that the debates upon the confirmation of the members' elections and on the Address had been long and elaborate,

and though they had taken nearly three months from the legislative business of the House, they had not been useless. To an impartial mind the result had been to reduce into nothing the accusations which had been so skilfully spread.

He then continued :—

“ The policy of the Government is better appreciated. We have a more compact majority, and one more devoted to our institutions. These are great advantages. After the fruitless efforts of so many forms of government, the first want of the country is stability. Nothing durable can be founded on an ever-shifting base without consistency. For sixty years liberty has become a weapon in the hands of parties, to overthrow the existing Government. Thence have resulted incessant fluctuations—power succumbing to liberty, and liberty succumbing to anarchy. This must no longer exist. The example of recent years proves the possibility of conciliating what has long appeared irreconcilable. Really fruitful progress is the fruit of experience. Its advance will not be hastened by systematic and unjust attacks, but by the intimate union of the Government with a majority inspired by patriotism, and unseduced by vain popularity. Let us await from agreement and from time such improvements as are possible. Do not let the delusive hope of a chimerical future, unceasingly compromise the present good which we have at heart to consolidate together. Let us each remain in our right sphere,—you, gentlemen, enlightening and controlling the progress of the Government, I taking the initiative in all that may promote the greatness and prosperity of France.”

In the *Corps Législatif*, on the 6th of May, M. Thiers made an elaborate speech of three hours' duration, upon the Bill for fixing the ordinary and extraordinary Budgets for 1865. He examined the financial condition of France in former times, and pointed out the enormous increase that had taken place in the Budgets of the present Government. He observed that all mystery as to the cause of that increase would disappear when the details were examined. If it were assented to that every three or four years France should embark in a great war, and if, after having carried on a great war of undoubted public interest, and before the country had time to breathe, or to recover a part of what it had spent, it again entered on another war less easily understood than that of the Crimea, and less national, but only for an idea, as a war for Poland would be, and certainly such as that of Italy, then, indeed, all was explained. If every four or five years a great war were entered upon, and at the same time little wars—little as to the number of men engaged, but considerable from the distance to which they were sent or the sums they cost,—then, indeed, yearly deficits and 300 millions added to the public debt were explained. If while those great and little wars were going on it was desired to add to what was called the splendour of Government increased salaries—not the small ones, but all—and at the same time to demolish cities, in order to rebuild them, then,

indeed, all was explained. If when constituting the army, and having to choose between a costly organization and a less costly one, the former was always preferred, then, indeed, all was explained. If to the indispensable expenses of the navy, such as those incurred in the transformation of ships, were added distant expeditions, and if France aspired to the honour of founding empires in remote countries and bestowing crowns, then, indeed, all was explained. If France resolved to incur necessary expenses, and at the same time expenses that were merely those of luxury, doubtful, or sometimes absolutely useless—urgent expenses as well as those which might be postponed—then, indeed, all was explained,—the 2300 millions, the 2500 millions, and all.

He declared that when he heard the word “disarm” it greatly afflicted him. To talk about disarming was to give Europe to understand that France was armed. He declared that France was the only Power in Europe on a peace footing with an army of 400,000 men. It was an unfortunate thing to say that France was in arms, for it was to inspire fear, and to expose her to be every day called upon to disarm. He could tell them who were in arms in Europe. It was Italy, with a view to Venetia—which was quite natural. It was Austria, on account of Venetia—quite natural also. Russia was in arms, not only on account of Poland, but on account of the diplomacy directed against her for the last two years. Prussia was half-armed. England was not armed, but in great works of fortification. France, and France only, was on a real peace footing, and he could prove it in ten minutes. It was constantly said that France had an army of 400,000 men. Now these 400,000 were certainly a peace establishment. There were 100,000 out of the territory. There would be as many even after the troops returned from Mexico; for Africa, although it had made great progress towards assimilating itself to France, would always require 70,000 men. France had troops in Italy, and must always have troops in her distant possessions. In a word, she would always have 100,000 men out of the country. At home they had 50,000, such as the gendarmes, veterans, &c. Deduct these from 300,000, and there remain only 250,000 troops of the line in the country. These 250,000 men were exhausted in the service of peace, and those 400,000 men, composing the total of their effective strength, were necessary to fill up the *cadres*. It may be said that there were too many of these; but with those they had they could at most muster from 600,000 to 700,000 men, and before renouncing the possibility of such a war footing, a complete moral revolution should take place in Europe. That moral revolution was that Italy should no longer wish for Venice, and that Austria would be good enough to surrender it; that Russia should give up Poland, and that Poland should no longer think of rising in revolt; that nobody should long to dismember the Turkish empire; and that Prussia should not desire to annex to her territory, already so large, some States belonging to her



dear confederates around her. Until that revolution came to pass, France would not renounce her filling up her *cadres*, if necessary, to the amount of from 600,000 to 700,000 men. The expenses of the army, therefore, could not soon be reduced; and, as for those of the navy, they must return from distant countries, the transformation of their *matériel* must be completed, before they could hope for a reduction in the expenses of that department.

In conclusion M. Thiers said: "I hope that if the Emperor, as I do not doubt, persists in his wise policy of restoring to us our liberty, liberty will prove by her conduct that she does not deserve all the evil that has been said of her. But if it be true that she did deserve it, there is one reflection I wish to make, the truth of which you will admit—a reflection which you have all made, no doubt, that the country has made, and that I have often and often made; it is, that if liberty deserves all that has been said against her, it must be admitted that it costs very dear to replace her."

On the subject of the Danish question, in the course of a speech he delivered on the 12th of May, M. Rouher, Minister of State, said that he saw with grief the invasion of the Duchies of Schleswig and Holstein; but that the Treaty of 1852 did not oblige France to make war to defend the resolution of the Conference and the integrity of the Danish monarchy. He observed that, to uphold the treaty, England would have easy victories at sea, but France would be obliged to march upon the Rhine and traverse Germany to reach Denmark. "If France could embark her treasure in such an enterprise, it is not to Denmark that we should have gone; we should rather have moved armies for other misfortunes and other sorrows. But the policy of the Government is not a policy of sentiment. When such questions present themselves, a Government devoted to the country does not engage in war before having every where exhausted all the combinations which might secure and maintain peace. We have respected the Treaty of 1852. We have accepted every means for re-establishing peace."

The Minister concluded his remarks on the Danish question by expressing the hope that the Conference would give peace.

With regard to Poland, M. Rouher stated that the question was a European one, and continued as follows:—

"We have suffered deeply by the events in Poland and Galicia, but we do not wish to disturb the peace of Europe. We understood that collective steps on the part of the Powers being no longer capable of realization, France should no longer make vain protests at St. Petersburg, but should leave to God and to time the care of judging on which side lay the great iniquity, and on which side legitimate grievances."

On the subject of the Congress, the Minister said that the Powers who had refused the Congress had inflicted upon themselves the greatest injury; adding that "France was not less glorious and powerful after the refusal of the Congress."

A few days afterwards a very noisy and turbulent scene disturbed the serenity of the Chamber, the occasion being a declaration by the President, M. de Morny—on the question of the demand by the Government for 7,600,000 francs on account of the Law of Security—that if it were true, as the Opposition asserted, that only three conspirators had been discovered in the six years during which the law had been in force, it was a proof that it had worked well, and was in fact the best eulogium that could be passed upon it.

This led to violent interruption and clamour, and in the course of the confusion M. Pelletan said: “The Minister of State told us the other day that freedom of debate was full and entire in this Chamber. Allow me to observe that you are at this moment giving a flat contradiction to him. The imagination of the Government is occasionally sombre. It is good enough to be too often afraid, in order to make you afraid; and it presents the aspect of a Government that is never disquieted, but is ever unquiet.”

The President cried out, “You are right not to have any fear of the Government, because it is a protecting Government, and threatens no one. If it were of a kind to cause fear, perhaps you would not use the language you now do.” And M. Thiers, who had just then entered the Chamber, said: “When the interests of the country are at stake, no one, not even the Government shall make us afraid.”

One of the most interesting criminal trials on record is that of Lesurques, who was convicted in 1796 of robbing the Lyons mail and afterwards executed. There is no doubt whatever that this was a judicial murder, as the innocence of Lesurques was afterwards incontestably proved by the confession of the guilty party. It was in fact a case of mistaken identity, but the accused would almost certainly have been acquitted had it not been for the incident mentioned in the speech of M. Laboulie which we shall immediately quote. Since the conviction of Lesurques his family had made unceasing attempts to obtain a restitution of the money which had been taken from him as the proceeds of the supposed robbery. They obtained a *rehabilitation* of his name and character, but all their efforts for the grant of a pecuniary compensation had failed.

The subject was now, after the lapse of sixty-eight years since the death of Lesurques, again brought forward in the *Corps Législatif* on the 16th of May this year.

The order of the day was the discussion of the Budget, when M. Laboulie rose to move an amendment to the first article of the Budget of the Minister of Finance. The amendment proposed that the Minister of Finance should refund to the family of M. Lesurques, executed for the robbery of the Lyons mail in the year 1796, a sum of 54,585*f.* 75*c.*, with interest from that date. The speaker entered into a long detail of the case, which occupied the House for two hours. The highwaymen who robbed the Lyons mail subse-

quently attacked the Brest mail, were captured and executed. They all declared that Lesurques was innocent. Lesurques was brought to trial with Curriol, Barnard, and Guenot. He produced a witness named Legrand, a goldsmith, to prove that on the day of the crime he had purchased a quantity of plate. The President asked to see the books of the goldsmith, and on examining them, he found that the date of the 8th Floreal, on which the crime was committed, had been altered from the 9th, the day on which the sale appeared to have been made. The witness explained that the sale was really made on the 8th, but it was not entered until the 9th, and that it became necessary to alter the "9" subsequently to an "8." From this moment the President was so convinced of Lesurques's guilt that he treated the other witnesses for the defence so harshly that a young woman fainted. While the jury were in consultation, a brother of Curriol addressed the President and told him that he was about to condemn two innocent men—Lesurques and Guenot. The President replied that it was too late. Lesurques was convicted; Guenot, more fortunate, was acquitted. Curriol declared that Lesurques was innocent. Lesurques appealed to the Court of Cassation, and the Court declared that innocence is not a legal motive for appeal. Lesurques was executed. He ascended the scaffold, firmly declaring his innocence. Curriol, who was executed immediately after him, on ascending the scaffold exclaimed with a loud voice, "I am guilty, but Lesurques was innocent." In conclusion, the speaker added that, according to M. Viritry, there is a surplus to the credit of the Budget sufficient to reimburse the family of Lesurques for the pecuniary loss they had sustained.

M. O'Quin, Reporter on the Budget, said that years had passed since the conviction of the unfortunate Lesurques, and still the interest felt on the subject had not abated. Now that his innocence cannot be denied, public opinion had pronounced. Still, as there was a judgment existing, the Commission on the Budget did not think they could support the amendment.

M. Parien, Vice-president of the Council of State, approved the decision of the Commission in rejecting the amendment. He said that the revision of the trial was now impossible. It was asked for at various periods, and was always refused by every Government.

M. Jules Favre said that when Lesurques was convicted he protested his innocence, not in language insulting to the judges, but in calm and dignified language, which produced a profound impression, and, although the right of pardon did not then exist, the Minister of Justice applied to the Council of Five Hundred for a respite. M. Simeon, the reporter of the committee appointed to consider the demand, concluded by this very much to be regretted sentence:—"We have no power and we feel no regret." Lesurques proceeded to the place of execution, dressed in a white garment, and met his death like a martyr. He would remind the House of



the facts, which proved that Lesurques was unjustly convicted. Although the punishment of confiscation does not exist in the French law, the entire fortune of Lesurques fell into the hands of the Minister of Justice. It consisted of 10,000*f.* in Rentes. His widow and his three children were stripped of all they possessed. His widow became insane, his son entered the army and perished in the snows of Russia, one of his daughters met the same fate as her mother, and the other, on learning that justice was refused to her father's memory, cast herself into the Seine. Those were the consequences which resulted from judicial errors. The unfortunate family was stripped of every thing. Besides their ready money a farm situate in the department of the North was seized. The produce was estimated at 10,000*f.* a year, and in fourteen years the Government received from it 140,000*f.* In the mean time they refused to contribute any thing to the unfortunate family, who were perishing of hunger. In 1824, under the Parliamentary *régime* which had been so much calumniated, and which, nevertheless, expressed the sentiments of the country, M. de Villèle ordered a restitution of 214,000*f.* It was not the value of the farm.

The result was that M. Laboulie's amendment was carried by a majority of 1, the numbers being 113 for and 112 against it. But the Government exerted themselves successfully to have this vote rescinded, and a few days afterwards the Chamber, by a majority of 168 to 47, adopted the first section of the Budget without the amendment<sup>1</sup>.

The Session of the *Corps Législatif* was closed at the end of May, but that of the Senate was prolonged for a few days longer, to enable it to give its sanction to the measures passed by the *Corps Législatif*.

In the month of August a trial took place in the Police Courts at Paris which involved a question of the utmost moment with respect to the degree of liberty permitted in France to electors in organizing committees for the purpose of securing the return of Liberal candidates. The Code prohibits in the most peremptory terms the formation of associations *for any purpose whatever*, where the members consist of more than twenty<sup>2</sup>. M. Garnier Pagès and

<sup>1</sup> The same kind of question has twice occurred within the last few years in this country. We allude to the cases of Mr. Barber and Mr. Bewicke. They both received the Queen's pardon, and both applied for compensation. Mr. Barber obtained a sum of money by a vote of the House of Commons. In the case of Mr. Bewicke the vote was refused, but the Government afterwards appointed a Special Committee on the subject, and on its report granted a sum of money to Mr. Bewicke, as compensation for the loss which he had sustained by the compulsory sale of his property upon conviction.

<sup>2</sup> The following are the Articles of the Penal Code :—

“Art. 291. No association of more than twenty persons, of which the object is to assemble every day, or on certain fixed days, to occupy themselves with religious, literary, political, or other subjects, can be formed except with the assent of the Government, and on the conditions which it shall please the Government to impose on the association. The persons dwelling in the house where the association assembles

twelve others, therefore *thirteen* in all, had constituted themselves into a Committee for Electioneering purposes, during the struggle that took place in France at the last general election. For this they were summoned before the Police Court, on the ground that they had committed a criminal offence. The Paris wits made themselves merry at the idea of the confused arithmetic which put *thirteen* men upon their trial for an offence which could only be perpetrated by *twenty*; but in reality there was no such mistake, for the ramifications of the committee comprehended many more than twenty, although only thirteen were accused. The great event of the trial was the noble speech of M. Jules Favre, one of the most eloquent advocates at the French Bar, who defended M. Garnier Pagès. His peroration was remarkably fine, and was received by the audience with a burst of applause.

"Having now reached the term of my pleading," said the orator, "I ask myself how such a charge as this could have originated. I ask myself how it comes to pass that men like my clients, whose last refuge is in the law, whose triumph is their only object, should be thus confounded with common malefactors. And if they are condemned, what is the lesson this fatal day shall offer to our young generation? What! in France, the France of universal suffrage, you may spread over its vast surface the light of your intellect, and this very evening the wires of your telegraph may transmit the condemnation of thirteen citizens, honourable among the honourable—victims of their respect for the law. You are to proclaim to all France that they who do not think as you think stand in a Police Court, and that it is from the benches of the Chamber to which they have been sent by the people they are dragged to be condemned as criminals! If such be the result of this trial, I might, indeed, despair of the salvation of our common country. But it shall not be so! I will not despair. I derive hope and comfort from those I see around me—from Berryer, the veteran of liberty, the greatest of orators and the noblest of hearts; from Marie, who has so well served his country; from Senard, the fearless President of the National Assembly, who exposed his life to the madness of insurgents;

are not comprised in the number of persons indicated by the present Article. Art. 292. Every association of the nature above mentioned which shall be formed without permission, or which, after having obtained permission, shall infringe the conditions imposed on it, shall be dissolved. The chiefs, directors, or administrators of the association shall, moreover, be punished by a fine of from 16f. to 200f."

The Articles of the law of the 11th of April, 1834, are these:—

"Art. 1. The terms of the Art. 291 of the Penal Code are applicable to associations of more than twenty persons, even should these associations be divided into sections of a less number, and that they should not meet every day, or on fixed days. The permission given by the Government may at any time be withdrawn. Art. 2. Whoever forms part of an association not authorized shall be punished by imprisonment of from two months to one year, and a fine of from 50f. to 1000f. In case of a repetition of the offence the penalties shall be doubled. The individual convicted may in the latter case be placed under the supervision of the high police during a time which shall not exceed double the *maximum* of the penalty. Art. 463 of the Penal Code may be applied in every case."

from these two Ministers of the Government of July—Dufaure and Hebert—who have ever laboured for the triumph of the principles which are now under a cloud or abjured; and from the young generation who surround me, and who are the objects of my hope and my affection. When I look upon all these I cherish the consolatory hope that the great cause we are defending will triumph, not only over this which is but a political accident, but over all others; for liberty is imperishable. Its champions are too illustrious, its defenders too noble; and we may still look with an untroubled eye at the shadow that floats across it, for the sun of freedom will not be eclipsed for ever.”

After a short silence M. Berryer, who was retained for another of the defendants, rose and said:—

“During the suspension of the proceedings, the counsel for the accused, and the accused themselves, yielding to the profound and irresistible emotion caused by the magnificent harangue of our colleague, after the complete defence you have all heard, have requested me to inform the Court that it is impossible to add any thing to what has been said with such eloquence. We find nothing in our minds nor in our hearts that could add to the truth, the grandeur, and the nobleness of this defence. Brought up as we have all been in respect for the magistracy, we give up our right to speak, convinced as we are that after a speech, from the thrilling effect of which your bosoms are still throbbing, there is not a judge in the land who can condemn the accused.”

But M. Berryer was mistaken. The Court condemned the accused to a fine of 500f. each, the expenses of the prosecutions, with *contrainte par corps* for six months, in case the fine was not paid.

They afterwards appealed from the sentence, but it was affirmed by the Superior Court.



## CHAPTER II.

## DENMARK.

Note addressed by the Danish Foreign Minister to the Foreign Ministers of the German Courts—Reply of the King of Prussia to the Address of the Chamber of Deputies—Close of the Session of the Prussian Chambers—Speech of the King—Instructions issued by the German Diet to the Federal Commissioners in Holstein—Earl Russell's despatch to the German Diet—Address of the Danish Rigsraad to the King—Entry of Saxon troops into Rendsburg—Joint proposal of Austria and Prussia to the German Diet—Deputation from Holstein to the Federal Diet in favour of the Duke of Augustenburg—Declaration of the Danish Prime Minister, Bishop Monrad—Description of the Dannewerke—Address of the Prussian General, Von Wrangel, to the army—Advance of the Austrian and Prussian troops—Conflicts between the Germans and Danes—The Dannewerke abandoned by the Danes—Address by the Rigsraad to the army—Umbrage taken by the smaller German States—Description of the island of Alsen—Close of the Session of the Rigsraad—Siege of Düppel—Capture of that place, and abandonment of Fredericia by the Danes—Entry of the Prussian troops into Jutland—Naval victory of the Danes off Heligoland.

A NOTE was addressed, on the 19th of December last year, by M. Hall, the Danish Foreign Minister, to the Minister of Foreign Affairs of Prussia, Austria, Saxony, and Hanover, in which, after mentioning the decree of the Federal Diet, for giving effect to the "procedure of execution" in the Duchies which was passed on the 7th of December, he said, that it was deprived of all binding force, owing to the illegal exclusion of the Plenipotentiary of Denmark from the assembly. He then proceeded to argue against the validity of the motives which had been assigned for the Decree, on the following grounds:—

"That the ordinance of March 30 of this year, against which the said decree was directed, has afterwards been formally repealed ;

"That the mediation offered by the British Government with a view of reconciling the pending differences between Denmark and the Confederation, has been accepted by the Royal Government in the sitting of the 29th of October ;

"That the King's Government in the same sitting declared itself ready to meet the Confederation in every point in which the independence or equality of rights claimed for the Federal provinces should not be considered as being sufficiently guaranteed at present.

"But the singular character of the pretended Federal execution has become still more perceptible since the Federal Assembly has

pretended to question His Majesty's right of succession, and the validity of the Treaty of London of May 8, 1852. For, even considering the matter from the point of view of the German Confederation, it must be admitted that any demand on the part of the Confederation with regard to the position which His Majesty should accord to Holstein in his capacity of Duke of Holstein must be subordinate to a preceding acknowledgment of the King as Duke of Holstein and Lauenburg. . . . .

"His Majesty, my most gracious Sovereign, is under these circumstances unable to recognize the so-called execution, resolved by the Confederation as a legitimate procedure founded in the Federal law, but intends, on the contrary, to reserve formally his sovereign and dynastic rights. His Majesty has therefore commanded the undersigned to protest by this present, and in the most solemn manner, against the unquestionable encroachment which has been announced to him, and reserves for himself to take such further resolutions as he may consider reconcileable with his rights and interests."

The Session of the Danish Rigsraad was closed by a speech from the Throne, on the 22nd of December, when King Christian IX. thus addressed his faithful subjects on the threatening aspect of affairs. . . . .

"Side by side with the exaggerated demands raised by the Germanic Confederation, tendencies have been manifested in Germany, which would result in the dismemberment of the Danish Monarchy. The authors of such subversive plans imagine that they have found an efficacious instrument. We console ourselves with the hope that Europe will know how to maintain for the Danish Monarchy the collective succession, the unaltered existence of which it has recognized as indispensable to the preservation of the general peace. Although we have given satisfaction to all Federal Resolutions concerning our territories connected with Germany, German troops are on the eve of invading, not only our Duchy of Holstein, but even our Duchy of Lauenburg, the contentment and fidelity of which have been testified to us by convincing proofs. In such a case it is impossible for us to recognize the legality of the Federal execution; however, to avoid as much as possible the outbreak of hostilities, we have deemed it right to withdraw our troops in order to concentrate our whole force of resistance on this side of the Eider, well convinced as we are that our brave and loyal people will unite in perfect harmony around their King, when the safety and liberty of the country are at stake.

"By these words we present to the members of our Rigsraad our parting salutation. We express to them our thanks and those of the country for their perseverance in their work, and the fidelity of their devotion, during the difficult years which have claimed their activity, as well as for the eagerness with which they have responded to the appeal of the country in its present situation, so full of imminent dangers. We pray God to have you in His

keeping—you, together with ourselves—and to watch over the safety of our dear people.”

At the close of last year the King of Prussia made the reply to the Address of the Chamber of Deputies on the Danish question, and, with reference to the refusal of the Chamber to vote the increased supplies which the military movements contemplated by the Prussian Government would render necessary, said :—

“I shall be guided by the undeviating resolution to conduct the matter of the Duchies in a manner worthy of the honour of Prussia and Germany, while at the same time preserving that respect for treaties required by the right of nations. The Chamber of Deputies cannot expect from me that I shall arbitrarily and without regard for the international relations of Prussia withdraw from the European treaties concluded in 1852. The succession question will be examined by the German Confederation with my co-operation, and I cannot anticipate the results of this examination. Before this is established, steps should be taken to furnish the means for the execution measures determined upon by the German Confederation, and for the possible necessary arrangements for defence which may follow in its train.

“The execution of the Resolution of the Diet is a duty rightfully incumbent upon the State in accordance with treaties, and the countries must not be found unprepared to meet the dangers which may easily and speedily be evolved from the measure. Under these circumstances the House cannot be willing to take upon itself the grave responsibility of refusing these entirely indispensable means, or of attaching its consent to conditions which interfere with the undoubted rights of my Crown. I should not be able to understand how that House, which so vehemently urges my Government to action, should refuse the means thereto at the moment and upon the spot where such action can and must occur. I should still be unable to understand such a proceeding, as my sentiment and my words guarantee that the means which I demand for the protection of the rights and honour of the country shall also be correspondingly applied to that purpose. All doubt upon this point contradicts the confidence which the Prussian people is accustomed to place in the word of its King.”

The Prussian Chamber, however, persisted in its refusal to pass the Bill which authorized the loan, and the King, in consequence, put an end to the Session on the 25th of January this year. The Royal speech was read by Herr von Bismarck, the President of Council, and it sharply rebuked the contumacy of the Lower House. Nothing, indeed, could be more inconsistent than its conduct, for while it was almost frantic in urging upon the King's Government an armed interference in the affairs of the Duchies of Schleswig and Holstein, it obstinately denied the Government the means of carrying on the war to which such interference must inevitably lead. The King said :—

“The Government of the King required, and still has need of,



extraordinary funds for the military and naval administrations, to carry out the execution in Holstein ordered by the Diet, and for the maintenance of the power and honour of Prussia in the further development of this dispute.

“While the Upper House has expressed, in an Address to the King, its confiding readiness to support the Crown in this serious question, the required consent to a loan has been refused by the Chamber of Deputies, and even the grant of those supplies has been withheld which Prussia, as a member of the German Confederation, is undoubtedly bound to contribute.

“In passing this Resolution the House contravenes the more decidedly the confiding trust by which the Prussian people has constantly been animated for its rulers, inasmuch as the King’s Majesty, in his gracious reply to the Address of the House upon the 27th of the past month, pledged his intentions and Royal word, that the supplies requested would be applied to the protection of the rights and honour of the country.

“The inimical character of these Resolutions, in which is expressed an endeavour to subject the foreign policy of the Government to unconstitutional coercion, is heightened by Resolutions by which the majority of the House of Representatives side beforehand against the Prussian fatherland in the supposition, arbitrarily raised by them, of warlike complications between Prussia and other German States.

“Such conduct on the part of the House of Representatives can only act in a pernicious manner on the strengthening and development of our constitutional condition, and we must for the present renounce hopes of an understanding.

“The Government of His Majesty must, however, consider itself bound, under all circumstances, to maintain with all its power, and in the full exercise of the Royal rights, the preservation of the State, and the welfare and honour of Prussia.

“It is still firmly convinced, that it will find sufficient and increasing support in the patriotic sentiments of the country.”

In the instructions issued by the German Diet to the Federal Commissioners appointed to assume the Government of the Duchies of Holstein and Lauenburg, they were told that—

“The administration is to be carried out in all respects according to the laws of the country, under the sole management of the Civil Commissioners. The Civil Commissioners have to make all the necessary arrangements for this purpose, especially with regard to officials who are to be retained or replaced by others, and to demand their being carried out,—in case of necessity, compelling obedience by the aid of the Federal execution troops. Care will be taken, upon the conclusion of the execution, for the secure fulfilment of the promises made by the Civil Commissioners to officials they may have employed.

“Should, contrary to expectation, forcible opposition be offered to the execution-process at the commencement or during progress,

the Civil Commissioners, in concert with the commanding general, shall require the Governments charged with the execution to forward the requisite reserve troops, upon the basis of the Resolution of the Diet upon the 1st of October last."

On the 31st of December a despatch was addressed by Earl Russell to the Federal Diet, in which, after stating that the new Constitution of Denmark seemed to Her Majesty's Government to tend to an incorporation with Schleswig, and as such to be opposed to the obligations of the Danish Crown, he said:—

"Even although Denmark may have withdrawn from her obligations for eleven years, and even although Germany may have annoyed Denmark with unfounded and impossible claims for that period, it is now time that an end be put to the conflict. The Powers who signed the Treaty of London, together with the German Confederation, are those first bound to establish the arrangements and terms of ultimate agreement.

"The Government of the Queen, therefore, demands in the interests of peace:—

"1. That a Conference of the Powers which signed the Treaty of London, in conjunction with a representative of the German Confederation, shall meet in Paris or London to settle the differences between Germany and Denmark.

"2. That the *status quo* shall be maintained until this Conference shall have finished its labours.

"Her Majesty's Government believes itself justified in making these demands for the sake of the peace of Europe. It has no other interest in respect to Denmark than that which belongs to one of the old and independent Monarchies of Europe. But it has an interest in the maintenance of European peace. It calls, therefore, in the most pressing manner, upon the Sovereigns and their Cabinets to take into consideration how difficult it would be to settle the differences if they had once been subjected to the bloody arbitrament of war. Who can foresee what extent such a war might acquire, what passions it might arouse, what districts might be desolated by its ravages?

"It is of itself a matter of comparatively slight importance whether a Prince of the House of Glücksburg or a Prince of the House of Augustenburg rules in Holstein or in Schleswig. The freedom and privileges of the subject can be equally secured under either of the two Princes. But it is of great importance that the faith of treaties should be upheld, that right and possession should be respected, and that the flames of war should not be spread over Europe through questions which quiet and timely exercise of justice and reason might conduct to a peaceful solution."

The Rigsraad was again assembled in January, when an Address to the King was voted, which expressed the firm determination of the Chambers to support him in the arduous struggle which was too certainly approaching. They said:—

"We have seen with real satisfaction how your Majesty upholds

our liberty and independence against the representations and demands from abroad in reference to the withdrawal of the Constitution of November 18, 1863. The life of your predecessor was passed in continually endeavouring to secure to the Danish Monarchy a position independent of foreign countries, without, however, succeeding in carrying out this great achievement, and your Majesty has also undertaken this task as an inheritance. We know that its solution will be fraught with difficulties, and it may eventuate in sanguinary conflicts and sacrifices. We wish our brothers in Schleswig—those who speak German as well as those who speak Danish—to enjoy the same civil liberty as the inhabitants of the rest of the kingdom. Liberty and mutual co-operation of men elected by the people, and under the guidance of the King, form, according to our conviction, the strongest tie, both between Schleswig and the Kingdom, as between the Monarchy and your Majesty.”

On the last day of the preceding year, the Danish troops evacuated Rendsburg on the Eider, which separates Holstein from Schleswig, when a body of Saxon troops, 5000 strong, under General Hake, immediately entered the town, and received from the inhabitants an enthusiastic welcome.

On the 14th of January a joint proposal, made by Austria and Prussia in the Federal Diet respecting Schleswig, was put to the vote, and defeated by a majority of 11 to 5. The proposal was in the following terms:—

“That the Confederation should require Denmark definitively to suspend the November Constitution with regard to Schleswig, and should at the same time notify, that in case of refusal, the Confederation will be compelled to obtain a pledge for the fulfilment of its just demands, by the military occupation of Schleswig. That the Federal Diet shall also request the military committee to submit propositions for raising the forces possibly required for the occupation of Schleswig to the necessary strength.”

The representatives of Austria and Prussia then declared, that the Governments of those two countries would proceed themselves to deal with the question in the manner they thought expedient.

Soon afterwards they announced to the Diet that “it has become absolutely urgent, in consequence of circumstances, to cause the passage of the Austrian and Prussian troops to be carried out by way of Holstein. This passage was announced as imminent in the above-mentioned declaration, and, as was then foreseen, the frontier of the Duchy was passed yesterday by detachments of troops.

“The representatives add to this declaration, the renewed expression of the conviction of their Governments, that the Civil Commissioners and the Commander-in-Chief of the execution troops, Lieutenant-General von Hake, will facilitate to the utmost of their power the passage of the Austrian and Prussian troops by way of Holstein.

“The Governments charged with Federal execution in the



Duchies of Holstein and Lauenburg—viz. Austria, Prussia, and the kingdoms of Saxony and Hanover—consequently declare that, after the entry into Schleswig of Austrian and Prussian corps, the Austrian and Prussian brigades which should form the first reserve upon the frontiers of the Duchies of Holstein and Lauenburg, may be re-incorporated in their divisions, without prejudice to the levy of new reserves in case of need.”

Whatever may be the legal merits of the question in dispute as regards Schleswig,—and our own opinion is strongly in favour of the view maintained by Denmark—the case of Holstein was different, and there can be no doubt that the popular feeling there was almost unanimously in favour of Germany. An Address was presented to the Federal Diet, by a deputation from that Duchy, in which, after stating that their fathers knew how to preserve German rights and German manners, German truth and German feeling, against all attacks, and that the people had risen as one man, to offer homage to Frederick VIII. (Duke of Augustenburg), the heir of the Schleswig-Holstein Crown—their rightful Sovereign—they said:—

“Illustrious Federal Assembly,—The country and people of Holstein, deeply agitated by painful impatience, at the postponement of a Resolution which decides upon its whole existence,—decides, indeed, whether the ancient land of Holstein shall remain with Germany or perish, cries out by our voices,—The Princes and free States of Germany, by joyfully and without delay receiving into the ranks of German Sovereigns the illustrious Lord whom all Holstein acknowledges as Duke, will do justice to right, and also, by thus sealing our right with the recognition of Germany, will fulfil the wishes of the whole German people, and the majority of the Princes and authorities, who, God be praised, are on our side.”

The Danes, on the other hand, entirely denied that there was any such thing as a Schleswig-Holstein Crown, or even a Schleswig-Holstein State. At a sitting of the Landthing, or Upper House, at Copenhagen, on the 22nd of January, the President of the Council, Bishop Monrad, made the following declaration, which was loudly cheered by the Assembly:—“I will tell you, gentlemen, for what we are about to fight. We are about to fight to prevent a foreign Power forcing itself into Schleswig; we are about to fight to expel those from the province who intrude into it. But, gentlemen, you will, perhaps, ask further,—‘If war is commenced, what settlement is intended to be introduced?’ To that I reply: Tell me what will be the result of the war; tell me in what position we shall stand when war is concluded, and I shall then be able to inform you what settlement may be attained. Not even a powerful nation can say at the commencement of a war what settlement the result will render necessary; and just prior to the outbreak of hostilities, it would be only empty words and hollow phrases to declare, ‘Such or such is the programme for which we fight.’ The programme, I maintain, which we have to follow, simply, clearly, and without evasion, is this,—not to allow a single

German soldier to pass the Eider without offering the best resistance in our power, and to use every effort to expel from Schleswig all who shall venture to intrude."

These were brave words, but what possible hope could Denmark entertain of success, in a conflict with the vast military strength of Germany? The truth is this, she relied upon the support of the Western Powers; and expressions had been used—especially one by Lord Palmerston (incautiously, as it afterwards appeared) when he said in his place in Parliament last year, that in the event of a war, Denmark would not find herself alone—which justified her in believing that England and France would interfere to prevent the violation of the Treaty of London of 1852, to which they were parties, and which professed to secure to the Danish Crown all the dominions which then belonged to it.

The Danes trusted also to the strength of their line of fortifications called the Dannewerke, on the north side of the Eider. This famous rampart "originally extended from Hellingstadt to the Selker Noer of Bustorf, and consisted of a simple rampart, sweeping inwards with a moat in front in a sharp angle of the Thyra-burg, a hill, which has long disappeared, in the neighbourhood of the village of Husbye. The object of this fortification was to protect the town of Schleswig, which is situated at the head of the Schlei, against an attack from the southward; and at that time the Schlei, a perfectly impassable swamp, formed a part of the fortification. This fortification was extended, by including the whole bay, more than six German miles, while the rampart had only been of a length of two German miles. The weak point of this position was on the west side, where towards the open country it was unfortified, and could therefore easily be assaulted in the rear. In this direction the only defence was a broad, swift stream with a swampy bed—the Treene,—which, however, offered but a trifling obstacle to a determined enemy. In 1848 the so-called rampart consisted only of a continuous hilly elevation of the ground, with a depression in front, denoting where formerly had been the moat; and hence it was that the German troops were able to take it at the first attack. . . . .

"At the present time the nature of the fortifications is entirely changed. Since 1850 the attention of the Danes has been directed to strengthening the Dannewerke, and they have chiefly endeavoured to fortify the weak point on the river Treene, and oppose sufficient obstacles to another attack from the rear. To achieve their object they took possession of the town of Frederickstadt, where the above-named river falls into the Eider. This place they fortified, and, as well known, the Schleswig-Holsteiners, at the close of 1850 vainly endeavoured to take it by assault. . . . .

"At the commencement of the town of Schleswig, on the heights rising from the main land, a series of powerful batteries, armed with guns of the heaviest calibre, offer a new hindrance to the

advancing foe. The Austrians, to whose share, according to the last accounts, the task of attacking this position is to fall, will find it no easy matter. Still, the difficulties which await the Prussians in the advance by the Rendsburg-road are still greater. The intrenchments commence at this point, at the village of Wedel-spang, and the first line stretches towards the east through the Selker Noer to the Schlei, towards the west in the neighbourhood of the Rothen Krug, to which point the batteries extend from the opposite direction of Hellingstadt, and at the junction the defences are crowned with a very powerfully armed and fortified battery. A second line of intrenchments commences behind these, with a strong blockhouse at Bustorf, comparable to a small fortress, and culminates in the opposite direction at Husbye, which again, being transformed into a kind of large *place d'armes*, is connected with Hellingstadt by a series of smaller intermediate works. This second line entirely commands the first, and Bustorf, in particular, appears impregnable by assault, owing to the deep and extended Bustorf dyke, situate between that place and the Schlei. A third and last line of intrenchments extend from the town of Schleswig, over the Erdbeerberg, the Anneten-höhe, and the Pulverholz, as far as the Zoological-gardens; and here again it is connected with the works extending from Husbye and the village of Schuby. Finally, to prevent a passage of the Schlei and an attack thence, the ford at Missunde is powerfully fortified, and a very strong *tête-de-pont* constructed there. Intrenchments, furnished with guns of the heaviest calibre, are also raised at every point where any attempt of the sort could possibly be made<sup>1</sup>."

Field-Marshal Von Wrangel commanded the Prussian forces, which were assembled at Kiel, and on the 1st of February they marched out of the town and crossed the Schleswig frontier, occupying Gottorp, while the Danish troops retired at their approach.

General Von Wrangel issued a proclamation to the inhabitants of Schleswig, telling them that he had come to protect their rights, and that the Governments of Prussia and Austria had determined to abolish the incorporation of Schleswig with Denmark.

In the advance of the allied armies the Austrian troops occupied the left wing and the Prussian the right.

General de Meza commanded the Danish army, and he was summoned by General Von Wrangel to evacuate the town of Schleswig; to which his answer simply was that he had orders to defend it.

On the 2nd of February, a severe conflict between the Danes and Germans took place near Missunde, on the Schlei, upon which General de Meza had retired with the first division of his army.

<sup>1</sup> The above description of the Dannewerke is taken from a letter which appeared in the "Times" newspaper, dated "Altona," and obviously written by a person well acquainted with the locality.



The object of the Prussians was to force a passage across the Schlei at Missunde, thus cutting off the Danes from the sea, and turning their left flank, while the Austrians attacked them on the right and centre. To accomplish this, a body of Prussian troops was conveyed in fishing-boats, during a snow-storm while it was still dark, across the Schlei between Arnis and Kappeln, on the morning of the 6th of February. Another body crossed by a pontoon bridge, and the two uniting, were about to advance to take the Dannewerke in rear, when it was discovered that the Danes had evacuated the lines during the preceding night without striking a blow, and abandoning the whole of the heavy artillery with which the forts were armed. Unable to make head against the superior forces of the Germans, they had begun to retreat northwards, Schleswig was evacuated, and the Austrians, rapidly advancing, occupied Flensburg after only a slight resistance. The Prussians left Flensburg on their left, and pushed on towards Düppel, a strongly fortified position, upon which the Danes had fallen back, opposite to the island of Alsen, and where they determined to make a stand.

In the mean time, the popular feeling at Copenhagen was violent against the supposed betrayal of Denmark's best line of defence by the abandonment of the Dannewerke, and General de Meza was recalled and deprived of his post of Commander-in-Chief, which was conferred upon General de Lüttichau, who was afterwards superseded by General Gerlach. The President of the Council stated in the Rigsdag that the King was not responsible for the retreat of the army, and that the proceedings of the Commander-in-Chief were inexplicable.

In a strategic point of view, however, it seems that he had no choice after the Prussians had turned his left flank by their passage across the Schlei, for with an army utterly inadequate in point of numbers to hold the Dannewerke against the Austrians in his front and the Prussians on his flank and rear, he must have been destroyed if he had continued to occupy his untenable position. Notwithstanding the bitter disappointment felt at the loss of this important stronghold, the bearing of the Rigsdag was dignified and manly; and as Varro was complimented by the Roman Senate after the defeat at Cannæ, because he had not despaired of the Republic, so both Houses united in a vote of thanks to the Danish army for the gallant spirit it had displayed in the unequal struggle. The address stated:—

“The Dannewerke has been abandoned !

“The Danish Rigsdag has been painfully surprised to learn this fact, but its trust in the future is by no means weakened, nor will the army have lost heart.

“The Danish army has been forced to evacuate Holstein without striking a blow, exposed to the scorn of the enemy and of the populace; but during its retreat it preserved the most perfect order and dignified calm. For nearly six weeks past it has borne

inclement weather, hardships, and privations, but, nevertheless, remained true to itself, and looked forward with ardour to the day of battle. Battle came. Every man did his duty in the engagements that have occurred, and faced the enemy with courage.

“The Danish Rigsdag thanks the Danish army !

“The Dannewerke has been abandoned, but the Rigsdag will never lose confidence in its sons and brothers—the living Dannewerke of our land. Long live the army ! As soon as circumstances will permit, it will again go to the front, with God for King and country. We trust in the living God ; we trust in the spirit of the people, and we trust in the army, over which this spirit soars !”

General Von Wrangel issued a proclamation on the 7th of February, in which he announced that Austrian and Prussian Commissioners would administer the civil government of Schleswig, and ordered that the German language should be thenceforth used in all branches of the administration.

But in the mean time great umbrage was taken by the smaller States of Germany, at the mode in which Austria and Prussia were superseding the authority of the Diet in their conduct of the campaign. The Federal Commissioners in Holstein protested against the occupation of Altona by Prussian troops, and stated in a proclamation that they “could only regard this measure as an act of violence in direct contradiction to declarations very recently made by the high Cabinets of Vienna and Berlin, especially as it was expressly pointed out as self-evident in the instructions of the Diet forwarded to the Commissioners upon the 22nd ult., that continuous occupation of the Holstein territory was reserved for the Federal troops alone.”

The Danish army, with the exception of the cavalry, which had retired further north, was now concentrated at Fredericia, a fortress on the confines of Schleswig and Jutland, Düppel, or Dybbøl, opposite to Alsen, and in the little island of Alsen itself, which was held by 12,000 men. The following description of it is taken from a contemporary account, and will be found useful :—

“Alsen is enough of an island to be safe, on all sides but one, against any approach from an enemy unable to cope at sea with Denmark. The exposed side is, of course, the coast on the Sound, opposite to the Sundewitt peninsula, and especially the narrow part of it, between Arukilsore, at the mouth of the Augustenburg fiord, and the southern end of the Gut, where it is bridged over at Sønderborg. Now, the extreme length of Alsen from north-west to south-east in a straight line is about four Danish, or eighteen English, miles. The Sound, from end to end, does not exceed thirteen miles, and its narrower part, from Arukilsore to Sønderborg, may be about six English miles long. The width of the Sound at its northern end does not stretch beyond half a Danish mile (two and a quarter English), but the narrow gut, which constitutes the real Sound, is contracted between the coasts to the

almost uniform width of about a quarter of an English mile, and at its narrowest points—as, for instance, at the Sönderborg bridge—the width is hardly 100 to 150 yards.”

The siege of Düppel, which was in fact the *tête du pont* of the isle of Alsen, was left entirely to the Prussians, who employed against it all the resources of modern artillery, in which arm Prussia peculiarly excels. The intrenched position of the Danes consisted of four separate lines, all strongly fortified, and stretching out in concentric curves, with their centre at the Sönderborg bridges, from which they were placed at the respective distances of half a mile, one mile, a mile and a half, and two miles. It is not our intention to give any detailed narrative of the operations of the siege, which would fail to interest the reader, and encroach too much upon our space.

The Session of the Danish Rigsraad was closed on the 22nd of March, and in his speech from the Throne the King said:—

“We are still alone and do not know how long Europe will look with indifference upon the acts of violence perpetrated against us. We are ready to do every thing that may serve to obtain peace; but the enemy must know that the period is still distant when we shall be compelled to submit to a humiliating peace. This is the King’s farewell to you.”

The Danes held out bravely at Düppel until the middle of April, but line after line of their defences was gradually taken, and on the 18th of that month the last remaining bastions were stormed and the Prussians became masters of the place. The main body of the Danish army, or rather garrison, retired into Jutland, leaving Alsen however in the occupation of Danish troops, and the Prussians made no attempt to cross the narrow strait which divides it from the main land. Fredericia, which was to have been besieged by the Austrians, was still untouched, and as it was strongly fortified it was supposed that a last vigorous stand would have been made there by the Danes. But they quietly abandoned it almost immediately after the capture of Düppel, and the troops that had held it crossed over into the island of Fünen.

The Prussian troops entered Jutland after the fall of Düppel and evacuation of Fredericia, and their conduct there was most arbitrary and oppressive. On the 28th of April, General Von Wrangel issued a proclamation, dated Veile, in which he imposed a forced contribution upon the province of 650,000 Prussian dollars (96,000*l.*), “in compensation for the damage to property caused to Prussian as well as to other German subjects by ships and cargoes captured by the Danes.” And the following incident will show the manner in which the unfortunate inhabitants were plundered. At Viborg, a town containing a population of less than 5000, a Prussian General demanded the immediate delivery of 19,600*lb.* bread, 30,000*lb.* oats, 380*lb.* of roasted coffee, 2700*lb.* rice, 380 bottles of wine, 1200 bottles of brandy, 3000 cigars, 1300*lb.* tobacco, 25,000*lb.* hay, and 11,000*lb.* straw. For the



next day, and daily until further notice, the following articles were required:—380lb. roasted coffee, 11,000lb. fresh beef or 5000lb. bacon, either fresh or smoked, or 7000lb., if salted; 300lb. salt, 19,600lb. bread, 7000lb. peas, or 2700lb. rice, or 3600lb. groats, or one-third of each kind, 380 bottles of wine, 1200 bottles of brandy, 3000 cigars, 1300lb. tobacco, 29,000lb. oats, 25,000lb. hay, and 11,000lb. straw.

In the month of May, a gleam of success shone upon the Danish flag at sea off the island of Heligoland, where a naval action took place between two Danish frigates and a corvette, and an Austrian squadron, consisting of two frigates, and three gunboats. The fight was gallantly maintained on both sides for about an hour and a half, when the Austrian flag-ship took fire, and the flames burnt so rapidly that she could not continue the engagement. A signal therefore was given for retreat, and the Austrian vessels retired within the shelter of Heligoland, while the victorious Danes sailed towards the north.

## CHAPTER III.

### DENMARK (*continued*).

Negotiations for peace and project of a Conference—Language of Prussia and Austria on the subject—Instructions of the Federal Diet—Meeting of the Conference in London and summary of its proceedings—Failure of the Conference—Change of Ministry in Denmark—Speech of the King at the opening of the Rigsraad—Capture of Alsen by the Prussians—Quarrel between the Prussian troops and the Saxon and Hanoverian troops at Rendsburg—Speech of Baron Beust in the Saxon Chambers on the subject—Negotiations for peace—Preliminaries of peace signed at Vienna—Earl Russell's reply to Herr von Bismarck's note announcing the conclusion of peace—Speech of the King of Denmark at the opening of new session of the Rigsraad—Requisition of Prussia to Saxony and Hanover to withdraw their troops from Holstein—Sharp remonstrance addressed by Herr von Bismarck to the Federal Diet—Address of deputation of inhabitants of Schleswig to the King of Denmark, and His Majesty's reply.

IN the mean time, active exertions were made by the English Government to put a stop to the further prosecution of the war by a Conference of the Great Powers, at which might be settled the terms of a durable peace. But there were great difficulties in the way of assembling such a body. It seemed useless to meet unless some common ground could be agreed upon as the basis of negotiation, and here the parties chiefly interested were diametrically at variance.

Both Austria and Prussia had declared before the actual commencement of the war that they had no wish nor intention to dismember the Danish Monarchy, and they professed their readiness to abide by the provisions of the Treaty of 1852. It was upon this treaty that both England and Denmark took their stand. But

circumstances had now changed—war abrogates existing treaties, and Prussia openly declared that she was no longer bound by that of 1852.

In a despatch addressed on the 15th of May by Herr von Bismarck the Prussian Ambassador in London, after reviewing the events that had happened, he said:—

“After all these occurrences, the Government of the King cannot consider itself in any way longer bound by the obligations it contracted on the 8th of May, 1852, under other circumstances. Prussia concluded this treaty with Denmark, and not with the other Powers; the ratifications were only exchanged between Copenhagen and Berlin, not between Berlin and London, or St. Petersburg. Even if—which we do not admit—the London Treaty had been intended to create obligations between us and the neutral Powers, these would become void, together with the treaty, as soon as the latter lapsed through non-fulfilment of its preliminary conditions.

“The Government of the King therefore considers itself, in accordance with the declaration of January 31, entirely free from all obligations which could be deduced from the London Treaty of 1852, and justified in discussing any other combination quite independent of that treaty.”

The language of Austria was not so explicit, but her Government had already foreshadowed what her policy would be in the event of war, in a despatch (identical with one written by the Prussian Government at the same time) addressed on the 31st of January, by Count Rechberg, to the Austrian Ambassador in London. He there said:—

“The Imperial Government, by basing upon the stipulations of 1851-52 the rights which, in concert with Prussia, it is proceeding to enforce upon Denmark, has by this very act recognized the principle of the integrity of the Danish Monarchy as established by the transactions of 1851-52. The Imperial Government, in proceeding to the occupation of Schleswig, does not intend to depart from this principle. If, however, in consequence of complications which may be brought about by the persistence of the Danish Government in its refusal to accomplish its promises of 1851-52, or of the armed intervention of other Powers in the Dano-German conflict, the Imperial Government were to find itself compelled to renounce combinations which would no longer offer a result proportionate to the sacrifices which events might impose upon the German Powers, no definite arrangements could be made without the concurrence of the Powers who signed the Treaty of London. The British Government would then find the Imperial Government ready to come to an agreement with them as to the definitive arrangement of the Dano-German question.”

The Federal Diet, after some difficulty, agreed to send a representative to the Conference, and he was furnished with instructions:

“1. To exert all his efforts to assure the recognition of the

rights of the Germanic Confederation, and of the Duchies of Holstein, of Schleswig, and of Lauenburg, and especially to obtain the greatest possible independence for these latter.

“2. To avoid as much as possible all dissension between the German Plenipotentiaries at the Conference, to concert preliminarily with the representatives of Austria and of Prussia whenever any important deliberation is to be brought forward, the representatives of the said Powers being equally invited to follow the same example under analogous circumstances.”

The first meeting of the Conference took place in London on the 25th of April, and we avail ourselves of extracts from a summary of its deliberations which was drawn up by one of the Plenipotentiaries, as stated by Lord Palmerston, in his place in the House of Commons, on the 27th of June:—

The first care of the Plenipotentiaries of Great Britain was to invite the belligerents to consent to a suspension of hostilities—a preliminary measure equally called for by the interests of humanity and of the negotiations confided to the care of the Conference.

This proposal, made by Earl Russell in the meeting of the 25th of April, was unanimously supported by the Plenipotentiaries of France, Russia, and Sweden.

A prolonged discussion took place as to the simultaneous suspension of hostilities by land and sea. The Danish Government at first insisted on the maintenance of the blockade, which they considered as an equivalent for the occupation of the Duchies by the allied troops.

The insufficiency of the powers with which the Plenipotentiaries of the belligerent Powers were furnished made itself felt for the first time during this debate. The necessity of having recourse for fresh instructions to Copenhagen, to Berlin, and to Vienna had occasioned delays which had interrupted and protracted the labours of the Conference.

Ultimately it was agreed that hostilities should be suspended from the 12th of May to the 12th of June. And in the mean time Denmark was to raise her blockades.

On the 12th of May Earl Russell recognized that it belonged to the Plenipotentiaries of Austria and Prussia to explain the motives which induced their Governments to occupy a large portion of the Danish territory, and to make known the intentions of their Courts, with a view to the re-establishment of a solid peace.

In reply to this appeal, the first Plenipotentiary of Prussia said that it was his duty to declare that the German Powers, before entering into a discussion on the conditions for the re-establishment of peace with Denmark, thought it right to observe that they considered “the ground of discussion as entirely free from any restriction resulting from engagements which may have existed before the war between their Governments and Denmark. While thus claim-



ing for themselves full liberty of discussion, and the power of making such proposals as they may consider to be of a nature to ensure a solid and lasting pacification, the German Governments do not mean to exclude any combination which may tend to attain that object, without prejudicing acquired rights."

The explanations which were given by the Plenipotentiaries of the German Courts on this subject, in the sittings of May 12 and 17, clearly brought to light a complete divergence of opinion, existing between all the members of the Conference, with regard to the validity of the engagements resulting from the Treaty of London of 1852.

The Plenipotentiaries of Great Britain maintained the respect due to the reciprocal obligations contracted by all the Powers who were parties to that treaty. They observed that though, strictly speaking, war may put an end to a treaty between two Powers who have become belligerents, yet it cannot release those Powers from their obligations to the other Powers who joined in the signature of the same treaty. They showed that before destroying this act, that decision ought to be justified by satisfactory reasons. In short, before abandoning an agreement, it ought to be understood what was intended to take its place.

The Plenipotentiary of Russia expressed himself exactly to the same purpose.

The Ambassador of France asked the German Plenipotentiaries if, in case the arrangements of 1851 and 1852 should not admit of being maintained, it would not be possible, in their opinion, to substitute for them fresh combinations without departing from the circle traced out by the stipulations of the treaty.

M. de Quaade maintained that his Government considered the Treaty of 1852 as being still in force. Baron de Beust observed that its validity had never been recognized by the Confederation.

Earl Russell opened the sitting of May 17 by recalling the engagement entered into by Count Bernstorff to announce the bases of pacification which the Courts of Austria and Prussia proposed to submit to the Conference.

Protocol No. 5 sets forth the means which the German Plenipotentiaries considered as the best adapted to bring about a solid and durable pacification. To use the words of Count Bernstorff, "It is a pacification which assures to the Duchies absolute guarantees against the return of any foreign oppression, and which, by thus excluding for the future any subject of dispute, of revolution, and of war, guarantees to Germany that security in the North which she requires in order not to fall periodically into the state of affairs which brought on the present war. These guarantees can only be found in the complete political independence of the Duchies, and their close connexion by means of common institutions."

The Plenipotentiaries of the neutral Powers did not consider this programme as positive, clear, and satisfactory; and after some explanation given by the Austrian Plenipotentiary, Count Apponyi,

the Plenipotentiary of the German Confederation stated that he had not joined in the proposal made by the Plenipotentiaries of Austria and Prussia; and that, although not directed to do so by his instructions, he could not help affirming officiously that the Diet would not consent to an arrangement which, even under an eventual or conditional form, would restore the union between the Duchies and Denmark.

The Danish Plenipotentiaries declared that such a proposal was wholly inadmissible, and it therefore fell to the ground.

The sitting of the 28th of May opened with a second proposal brought forward by the Plenipotentiaries of Austria and Prussia. This plan had for its object to demand a complete separation of the Duchies of Schleswig and Holstein from the Kingdom of Denmark, and their union in a single State under the Sovereignty of the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg.

The Ambassador of Russia expressed his dissent from this proposal, and the Danish Plenipotentiaries declared it more inadmissible than the preceding one, and that it could not even be discussed by them.

Lord Russell then read the following declaration:—

“The Plenipotentiaries of Great Britain have seen with deep regret that the last sitting of the Conference has not resulted in the establishment of the bases of an agreement between Germany and Denmark.

“In our opinion the elements of a solid and durable peace can neither be found in the engagements of 1851, which during twelve years have borne no other fruit than dissensions and troubles, nor in the analysis of an obscure and complicated law.

“But unless it is possible to lay down the bases of a solid and durable peace, it is not competent for the neutral Powers to renounce the solemn treaty by which they recognized the integrity of the Danish Monarchy, neither could they concur in a new arrangement, which would be insufficient for Germany or humiliating for Denmark.

“The elements of a solid and durable peace must therefore be sought elsewhere.

“For many years a lively sympathy for their brethren who are subject to the King of Denmark has animated the Germans of the Germanic Confederation. The Danes, on their side, are inspired by the love of independence, and the desire of maintaining their ancient Monarchy. These sentiments on either side deserve the respect of Europe.

“In order to prevent a future contest and to satisfy Germany, it would be necessary, in our opinion, entirely to separate Holstein, Lauenburg, and the southern part of Schleswig from the Danish Monarchy.

“To justify so vast a sacrifice on the part of Denmark, and to maintain the independence of the Danish Monarchy, it is desirable,

in our opinion, that the line of the frontier should not be drawn more to the north than the mouth of the Schlei and the line of the Dannewerke.

"It is also necessary for the security of Denmark that the Germanic Confederation should not erect or maintain fortresses, nor establish fortified ports in the territory ceded by Denmark.

"An equitable arrangement of the public debt, and the renunciation by Austria, Prussia, and the Germanic Confederation of all right of interference in the internal affairs of Denmark, would serve to complete the friendly relations between Germany and Denmark.

"A question remains which would not form the object of the Treaty of Peace, but which interests Germany, and cannot be passed by in silence. In the opinion of the Plenipotentiaries of Great Britain, it should be understood that the future destiny of the Duchy of Holstein, of the Duchy of Lauenburg, and of the southern part of the Duchy of Schleswig which will be annexed to the Duchy of Holstein, shall not be settled without their consent.

"If the King of Denmark consents to the sacrifices of territory which are required of him in the name of peace, it would be just that the independence of his kingdom should be guaranteed by the great European Powers."

This plan, which had been previously communicated to the representatives of the neutral Powers, received their most cordial support in the Conference.

The German Plenipotentiaries accepted the principle of Lord Russell's plan, reserving to their Courts the right of making counter propositions on the various questions of detail of which the projected arrangement was composed.

The Plenipotentiaries of Denmark undertook to bring this project to the knowledge of their Court, having no doubt of the serious attention with which it would be received.

On the 2nd of June, M. de Quaade read a long declaration in which he said :—

"The Danish Government accept in principle the proposal made in the last sitting by Earl Russell for the re-establishment of peace between Denmark and the two great German Powers.

"But in order that this peace, so earnestly desired by us, may bring with it a true reconciliation, it is necessary that it should be in every respect adapted to secure to Denmark the independence which belongs to her of right, the political independence which the Treaty of London was meant to guarantee to her, and for the preservation of which the Danish people have not hesitated to engage single-handed in a sanguinary conflict with forces far superior to their own.

"The Danish Plenipotentiaries must, therefore, at once observe that there are limits to the sacrifices which it is desired to impose upon Denmark which the Danish Government cannot exceed.

"Thus the new frontier of Denmark is a vital question for that



country. She requires a frontier which shall provide for both her military and her commercial interests, and that frontier must be protected by sufficient guarantees.

“There is another point on which the Danish Government reserve to themselves full liberty.

“It is only on special conditions that His Majesty the King of Denmark will consent to the cession of the Duchy of Lauenburg. That country was acquired at the time by the King of Denmark in exchange for a part of Pomerania, to serve as an equivalent for the Kingdom of Norway, which was sacrificed for the re-establishment of the peace of Europe, and it is essentially unconcerned in the dispute which has caused the present war.”

At the same sitting the Ambassador of Russia announced to the Conference that the Emperor, desiring to facilitate as far as depended on him the arrangements to be concluded between Denmark and Germany with a view to the re-establishment of peace, had ceded to the Grand Duke of Oldenburg the eventual rights which Section 3 of the Protocol of Warsaw of May 24 (June 5), 1851, reserved to His Majesty as chief of the elder branch of Holstein-Gottorp.

The next point was to secure, if possible, a prolongation of the armistice, and after some difficulty it was agreed to continue the suspension of hostilities until the 26th of June.

The important question now to be settled was the boundary line which was to separate Denmark from the Duchies.

The first line of demarcation put forward by the Plenipotentiaries of Prussia and Austria, was traced from Apenrade to Tondern. Nevertheless, Count Bernstorff declared his readiness to recommend to his Government a second line which should be drawn from a point to the north of Flensburg, and would terminate to the north of Tondern at Hoyer. This second line would have had the advantage of leaving the Danish Government in possession of the island of Alsén.

Ultimately the Plenipotentiaries of Austria and Prussia decided to adhere finally to their first line traced from Apenrade to Tondern, and this proposition formed the extreme limit at which they finally took their stand.

In this state of things there remained between the two lines—the one Danish and the other German—an intermediate territory in dispute; and it was not in the power of the Plenipotentiaries of the neutral Powers to induce either one or the other of the two parties to advance a single step towards an equitable arrangement.

Such was the situation on the 18th of June. One-half of the period granted by the Danish Government for the suspension of arms had elapsed. There remained but a space of eight days to accomplish the work of peace confided to the Conference.

The British Government then made another effort at a compromise, and Lord Russell said:—“Now that the principal question in dispute has been reduced to the tracing a frontier some miles

more or less to the north, when the two belligerent parties have brilliantly sustained the honour of their arms, and when the renewal of hostilities would produce a new series of calamities, disastrous to humanity, and unworthy of the civilization of our age, the Plenipotentiaries of Great Britain think it their bounden duty to propose to the belligerent Powers—namely, to Austria, to Prussia, and to Denmark, that a friendly Power should be appealed to, in order that a line of frontier may be traced, which should neither pass to the south of the line indicated by Denmark, nor to the north of that designated by the German Plenipotentiaries.”

The Conference assembled on the 22nd of June, to hear the decisions which the belligerent Powers had taken, upon the proposal made by the Government of Her Britannic Majesty, with the view of calling on a friendly Power to settle the question of boundary, which was now the principal difficulty that delayed the pacific solution of the dispute.

The reply of the belligerent Powers was unfavourable. Austria and Prussia, “while showing themselves disposed to accept the mediation of a neutral Power not represented in the Conference, were unwilling to engage beforehand to consider themselves definitively bound by the opinion which might be expressed by the mediating Power, as circumstances did not allow them to accept an arbitrativè decision.”

The Danish Government expressed a refusal even more decided. They declared that, to their great regret, it was impossible for them to give their consent to the proposal of the English Cabinet.

The Plenipotentiary of France, the Prince de la Tour d’Auvergne, now made a last proposal, which was that a vote of the Schleswig *communes* should be taken, “to obtain the elements of appreciation on which it should be agreed to base a decision. This vote by *communes* would allow the most exact account to be taken of each nationality in the definitive tracing of the frontier.”

M. de Quaade, however, declared that he could not accept the proposal even *ad referendum*. He alluded to his declaration of the 2nd of June, in which he said that his Government would make great sacrifices in order to obtain the restoration of peace, but there were limits beyond which they could not go, and his instructions forbade him to consent to any other line than that proposed by the English Plenipotentiaries in the sitting of the 28th of May, and accepted by Denmark.

This declaration ended the debate, and the labours of the Conference came to an end with an abortive result.

As the Danish Government had consented to open negotiations with a view to peace, and this necessarily implied a change in the policy of the Cabinet, it was thought better that the Monrad Ministry should resign; and a new Cabinet was formed, consisting of the following members:—Count Carl Moltke, President of the Council; Lieutenant-General Hansen, at the War-office; M. Tillisch, Home Minister; M. Haltzen, Minister of Justice; M.

Johannsen, Minister for Schleswig. The Foreign-office continued under the direction of M. de Quaade, and M. Lütken retained the portfolio of Marine.

The new Ministry assumed office on the 11th of June, and next day sent a message to the Rigsraad, in which they said that the King, deeming that men unconcerned in the late events would be better able to save the Fatherland, had decided upon a change of Ministers. They hoped to obtain the confidence of the Rigsraad and the people, otherwise they would be powerless. To lay down a programme would at present be impossible. The new Ministers could only give the assurance that, taking their stand firmly upon legal ground, they would never advise the King to adopt illegal measures.

A new Session of the Rigsraad was convoked and opened on the 25th of June by a speech from the Throne, in which the King said: "We have recently learned for how little the clearest right reckons in Europe, and how isolated we are. We, therefore, acceded to the painful sacrifice of the country south of the Schlei. The enemy demands more, but we reply negatively, being convinced that the people agree with us.

"May God grant that at least in a certain place the sympathy for us may grow into active support!"

This last sentence of course had reference to England.

And at the sitting of the Lower House of the Rigsraad, the President of the Council, Bishop Monrad, said in answer to a question about the Conference:—

"The Danish Plenipotentiaries were instructed to accept the line of demarcation of the Schlei and to agree to a fortnight's prolongation of the armistice, should England firmly adhere to that line. Earl Russell promised that neither would he make a proposal himself nor support the proposal of any other Plenipotentiary which would be less favourable for Denmark, unless Denmark herself should consent to such new proposals. Earl Russell nevertheless proposed in the sitting of the Conference of the 18th inst., that the question should be submitted to arbitration, although Denmark did not consent to this proposal. I cannot explain how this proposal was consistent with Earl Russell's promise."

Hostilities were renewed at the end of June<sup>1</sup>; and on the 29th of that month the Prussians crossed over to Alsen soon after midnight in considerable force, and landed on the opposite shore without much opposition. The Danish troops in the island soon afterwards came up, but after a sharp engagement they were compelled to retreat with a loss in killed and wounded of between 2500 and 3000 men. An iron-clad Danish man-of-war, called *Rolf Krake*, lay in Augustenburg Bay, and she attempted to

<sup>1</sup> The total loss of the Prussian troops during the late campaign was estimated at 116 officers, 218 sub-officers, 46 bandmen, and 1592 privates killed and wounded, with 9 officers and 117 sub-officers, bandmen, and privates taken prisoners. Twenty-eight officers were killed in action or died soon after of their wounds.



prevent the crossing of the enemy, but she was met by such a concentrated fire from the Prussian batteries, that she was compelled to retire and seek shelter behind an intervening promontory.

The Prussians were very proud of their victory, and an official account of the capture of Alsen which appeared in Berlin, stated:—"The difficulties of this undertaking were very considerable, and apparent even to an unpractised eye. History contains few examples of the passage of a river in front of the enemy. Here it was requisite to cross an arm of the sea, whose width, depth, and rapid current prevented the erection of a bridge, and whose hostile shore bristled with numerous well-armed batteries and intrenchments. It was necessary to expose the troops to a foreign element upon a number of slight boats, not only threatened by wind and weather, but by many hostile war-ships commanding the sea, the iron-clad vessels in particular, capable of inflicting serious losses. Even if the landing of the first battalions succeeded, it was necessary to be prepared for encountering a superior enemy, who, long since expecting this attack, would have had time enough during the suspension of arms to reorganize his troops and make every preparation for energetically repulsing all attempts to land. . . . .

"When the boats were about 200 yards distant from the hostile shore, the first shots of the enemy's outposts blazed at them through the twilight. The forces in the boats returned the fire, and replied to the first hail of grape from the enemy's batteries with a thundering hurrah.

"Springing out of the boats and wading through the shallows, the brave Brandenburgers rapidly gained the opposite bank, stormed the hostile batteries, and drove the enemy back into the Fohlenkoppel-wood, notwithstanding his desperate attempts to hold his rifle-pits."

In the middle of July a quarrel arose at Rendsburg in Schleswig, between some Prussian soldiers on the one hand, and some Saxon and Hanoverian soldiers on the other. Much bad feeling had already existed between the Federal and Prussian troops, and the result of the squabble was, that a strong Prussian force was marched into Rendsburg, and Prince Frederick Charles of Prussia, acting upon orders from Berlin, took military possession of the place. General Von Hake, who commanded the Saxons, protested against this as an unwarranted act of usurpation, saying that it was impossible for him to consent to the occupation of Rendsburg by Prussian troops, but also clearly out of his power, independent of other important reasons, to think of offering military opposition with a weak garrison of four companies.

He declared, therefore, that he should withdraw for the present the Saxon troops from Rendsburg, to avoid a conflict.

At the sitting of the Saxon Chambers on the 1st of August, the following question was addressed to the Ministry:—

“What steps has the Government taken, and what steps does it still intend to take, to uphold the honour of the Confederation, and especially of Saxony and her army, against Prussian arrogance?”

To this Baron Beust in reply said:—

“Negotiations are in progress. It would not be fair to the House if I were to hold out the prospect of satisfactory results, before the Government itself is thoroughly convinced that those results will be attained and will prove really satisfactory. Upon the other hand, the Government might be reproached with having exercised an unfavourable influence upon the progress of the negotiations if I were now to express an opinion. I will, however, communicate textually to the Chamber, the declaration made by the representative of Saxony at the last sitting of the Federal Diet. The events which have recently occurred in Rendsburg are sufficiently known to the Assembly. It is not the intention of the King’s Government to make them the subject of a motion. The Government has not forgotten what took place at Altona, nor the want of result then obtained from its motions and complaints. Upon announcement of the Rendsburg occurrences, the Federal Assembly has resolved to enter a protest and reserve further action. The King’s Government awaits confidential communications from those Federal Governments whose troops were not concerned, but who have a similar interest in upholding the authority of the Confederation. The Government will not allow itself to be deterred by its recent painful experience from faithfully fulfilling the obligations it has undertaken; but it is also none the less resolved to take care that upon a similar occasion its troops shall only yield to force, not menace, and solemnly declines, in advance, the responsibility for whatever results may accrue.”

The Chamber afterwards unanimously passed the following Resolution:—

“The Second Chamber, in conjunction with the Upper Chamber, declares that the occupation of Rendsburg by Prussian troops, effected by abuse of an overwhelming force, is a violation of the rights of the German Confederation, and an outrage upon the honour of the German Federal troops. The Chamber protests against this act of violence on the part of a German Federal Power.”

The capture of Alsen and abandonment of Fredericia decided the issue of the struggle; and Denmark, isolated as she was in the unequal war, found herself compelled to yield and consent to peace.

Negotiations accordingly took place at Vienna, between the Plenipotentiaries of Austria, Prussia, and Denmark, for the purpose of settling the preliminaries between those Powers; and at last, on the 1st of August, they were signed by the respective parties, and were as follows:—

“1. His Majesty the King of Denmark renounces all his rights to the Duchies of Schleswig, Holstein, and Lauenburg, in favour

of their Majesties the King of Prussia and the Emperor of Austria, engaging to recognize the arrangements their said Majesties shall make in respect of those Duchies.

"2. The cession of the Duchy of Schleswig comprehends all the islands belonging to that Duchy, as well as the territory situated upon the mainland.

"To simplify the boundary question and put an end to the inconveniences resulting from the portion of Jutland territory situated within Schleswig, His Majesty the King of Denmark cedes to their Majesties the King of Prussia and the Emperor of Austria the Jutland possessions situated to the south of the southern frontier line of the district of Ribe laid down upon the maps, such as the Jutland territory of Mögeltøndern, the island of Amrom, the Jutland portions of the islands of Föhr, Sylt, and Römö, &c.

"On the other hand, their Majesties the King of Prussia and the Emperor of Austria consent that an equivalent portion of Schleswig, comprising, in addition to the Island of Arroe, the territories connecting the above-mentioned district of Ribe with the remainder of Jutland, and rectifying the frontier line between Jutland and Schleswig from the side of Kölding, shall be detached from the Duchy of Schleswig and incorporated in the Kingdom of Denmark. The Island of Arroe will not make part of the compensation, by reason of its geographical extent.

"The details of the demarcation of the frontiers shall be settled by the definitive treaty of peace.

"3. The debts contracted upon special accounts, whether of the Kingdom of Denmark, or of one of the Duchies of Schleswig, Holstein, and Lauenburg, will remain respectively at the charge of each of these countries.

"Debts contracted for account of the Danish Monarchy, shall be divided between the Kingdom of Denmark upon the one hand, and the ceded Duchies upon the other, in proportion to the population of the two parts.

"From this re-distribution are excepted—1. The loan contracted in England by the Danish Government in the month of December, 1863, which is to remain at the charge of the Kingdom of Denmark. 2. The war expenses incurred by the Allied Powers, the repayment of which will be undertaken by the Duchies.

"4. The high contracting parties engage to establish an armistice upon the basis of the military *uti possidetis*, dating from the 2nd of August, the conditions of which will be found specified in the annexed protocol.

"5. Immediately after the signature of these preliminaries of peace the high contracting parties will meet at Vienna to negotiate a definitive treaty of peace."

A protocol was also at the same time signed, respecting the terms and duration of the armistice. This provided that there



should be a complete suspension of hostilities by land and sea, until the conclusion of the peace. The King of Denmark engaged to raise the blockade of the German ports, and the King of Prussia and Emperor of Austria, while maintaining the occupation of Jutland under the existing conditions of the *uti possidetis*, declared themselves ready to keep in that country no larger number of troops than their Majesties might judge necessary, according to purely military considerations.

A treaty of peace, in accordance with the above preliminaries, was ultimately signed at Vienna, on the 1st of October.

On the 9th of August, Herr von Bismarck addressed a note to the Prussian Minister in London, in which, alluding to the preliminaries of peace which had been signed at Vienna, he said he hoped that the British Government would not refuse to recognize the moderation and placability which had been displayed by the two German Powers, Prussia and Austria. He said:—"We did not wish to dismember the ancient and venerable Danish Monarchy, but to bring about a separation from it of parts with which a further union had become impossible through the force of circumstances and events. . . . The Danish Monarchy is not imperilled in its existence; not a single condition of its existence is damaged; it has received no wounds which cannot be healed. It now depends upon the Danish Government and the Danish people, whether the natural and peaceful relations with its southern neighbour shall be re-established, and whether unrestrained intercourse shall become a source of well-being and prosperity on both sides."

Being thus invited to express an opinion on the conduct of Germany towards Denmark, Earl Russell did not attempt to conceal the grave dissatisfaction of his Government at the course which had been pursued. He said:—

"Her Majesty's Government would have preferred a total silence instead of the task of commenting on the conditions of the peace. Challenged, however, by M. de Bismarck's invitation to admit the moderation and forbearance of the great German Governments, Her Majesty's Government feel bound not to disguise their own sentiments upon these matters. Her Majesty's Government have indeed from time to time, as events took place, repeatedly declared their opinion that the aggression of Austria and Prussia upon Denmark was unjust, and that the war as waged by Germany against Denmark had not for its groundwork either that justice or that necessity which are the only bases on which war ought to be undertaken.

"Considering the war, therefore, to have been wholly unnecessary on the part of Germany, they deeply lament that the advantages acquired by successful hostilities should have been used by Austria and Prussia to dismember the Danish Monarchy, which it was the object of the Treaty of 1852 to preserve entire.

"Her Majesty's Government are also bound to remark, when

the satisfaction of national feelings is referred to, that it appears certain that a considerable number, perhaps two or three hundred thousand, of the loyal Danish population, are transferred to a German State, and it is to be feared that the complaints hitherto made respecting the attempts to force the language of Denmark upon the German subjects of a Danish Sovereign, will be succeeded by complaints of the attempts to force the language of Germany upon the Danish subjects of a German Sovereign.

“Her Majesty’s Government had hoped that at least the districts to the north of Flensburg would, in pursuance of a suggestion made by the Prussian Plenipotentiary in the Conference of London, have been left under the Danish Crown.

“If it is said that force has decided this question, and that the superiority of the arms of Austria and Prussia over those of Denmark was incontestable, the assertion must be admitted. But in that case it is out of place to claim credit for equity and moderation.”

On the 6th of August a new Session of the Danish Rigsraad was opened by the King, who in the course of his Speech from the Throne said:—

“Notwithstanding the courage and endurance with which our valiant army and fleet have fought to uphold Denmark’s right and honour, and notwithstanding the readiness with which the entire people has borne every sacrifice for the salvation of the country, the war waged against us by a superior force will nevertheless compel us and our people to the heaviest and most grievous concessions. For, as all Europe leaves us without assistance, we have seen ourselves forced to yield to numbers, and to endeavour to terminate a war the continuance of which, under existing circumstances, would only entail upon our beloved people and country greater losses and misfortunes, without holding out the prospect of any improvement of our position.

“Nevertheless, we will look towards the future placidly, in full reliance upon our faithful Danish people, entertaining the firm hope that brighter days will not fail, if King and people unite, to heal the deep wounds inflicted upon our beloved country.”

The Prussian Government, in communicating the Treaty of Peace to the Courts of Saxony and Hanover, demanded that those States should immediately recall from Holstein the Federal Commissioners and also the troops engaged in carrying out the Federal Execution in that Duchy. We need hardly say that this regulation was complied with.

But although the majority of the German Diet did not venture to resist this mandate, there was a division of votes on the question which displeased the Prussian Government. It therefore began to assume a tone towards the lesser German States which it was easy to predict would be the result of the successful campaign in Denmark, and they found out to their cost, that in hounding on a great military monarchy to a war of aggression, they were realizing the

fable of the giant and the dwarf. On the 13th of December, Herr von Bismarck addressed a note to the Prussian Ambassador at Munich, in which he did not disguise his contempt for any Resolution which the Federal Diet might pass, in opposition to the alleged rights and interests of Prussia. He said:—"By the acceptance of the Austro-Prussian motion of the 1st of December, the Federal Diet has admitted that it also considers the Execution in the Duchies of Holstein and Lauenburg as terminated, and has thereby confirmed the circumstance upon which the King's Government based its demands to the Cabinets of Dresden and Hanover. By its simultaneous request to the two Governments for the withdrawal of their troops, the Diet has drawn the conclusion necessarily resulting from this fact, and has enabled the Government of the King to await the decision that might be come to in Dresden.

"We determined upon this course in a friendly frame of mind, in order to avert the danger of a more serious complication, which could not fail to have arisen out of a continued refusal of Saxony to execute the prescriptions of the order for execution; and we hail with satisfaction this result of the moderation and conciliatory spirit we preserved to the last moment.

"But we are also unable to conceal from ourselves, that even in the sittings of the Federal Diet alluded to, this result was accompanied by circumstances calculated to call forth justifiable and serious doubts—doubts to which we feel it our duty to direct the attention of the other Governments.

"We could not indeed refrain from feeling surprise, that upon a subject in which the notorious facts and the plain letter as well as the spirit of Federal right so unequivocally pointed out what the decision ought to be, the votes of the minority could display a marked difference in the views of the members of the Confederation. . . . .

"In the attempt to set the occupation and sequestration of the Duchies in the place of execution, and to justify their occupation and administration by the Diet until the moment of definitive decision upon their future, there lies a tendency to extend the competence of the Diet which finds no basis in treaties, and which we cannot; therefore, avoid characterizing as dangerous to the existence of the Diet itself. The existence of the Diet is founded upon the respect of all its members for the very carefully drawn limits of this competence; every attempt at their arbitrary enlargement touches and shakes the foundations of the Diet itself. A rule of majorities which would substitute an arbitrary principle for the aforesaid respect, and claim to exercise a guiding influence upon our policy beyond the stipulation of Federal treaties, could not be endured by us. We are only members of that Confederation whose fundamental laws are laid down in Federal treaties. The measure of the attributes inherent in the general body with regard to the individual member is apportioned by these treaties, and the excess of the competence thereby conferred would be



coincident with the dissolution of the Confederation. Every Government which attaches value to the advantages and security afforded it by the continuance of the Confederation should therefore be carefully upon its guard against violations of competence by which the common bond may be torn asunder. We have no intention of allowing our political independence to be shackled beyond the measure of our evident Federal duties, but the endeavour to do so would have become a fact, if only two other votes had joined the six votes of the minority on the 5th. In face of the wrongly passed Resolution, we should then have been placed in the necessity of making full use, for the protection of our rights, of the increased freedom of action afforded us by the violation of the treaties."

In December, a deputation from the inhabitants of Schleswig presented a farewell address to the King of Denmark, in which they said:—

"Sire, we have felt the necessity of once more greeting our old Sovereign for the last time. Ancient ties are broken, and new ones have not yet been established. We are isolated, not knowing what the future will bring us. We shall long cherish the recollections of the past as of the long series of years during which we lived under the mild rule of the Danish Kings. Fortune has given place to disaster, but in joy as in sorrow we have kept our eyes steadily fixed upon the throne. We shall preserve our remembrance of bygone days, and the Danish people on this side of the Königsau will never forget its brothers beyond, for all our recollections are in common. But the times compel us to direct our gaze toward the future. In your Majesty's farewell address we were recommended to seek consolation at the throne of Him who holds the happiness of nations and the fate of kingdoms in His Almighty hand. And we place our hopes on none other than on Him. Should it happen that the wishes of the population are allowed to exercise any influence upon the final settlement of our future, we pray your Majesty to retain the firm conviction that we shall show how deeply love to our ancient country is rooted in the hearts of the population of Schleswig. May God guard your Majesty! May He protect Denmark, our ancient fatherland!"

His Majesty replied:—

"You have told me how bitterly you grieve to be separated from Denmark and the Danish Royal House, and I pray you to believe that it has also been most painful to me to be placed under the necessity of relinquishing the ancient Danish Crown-land of Schleswig, united for centuries with Denmark. Of all the cares and sorrows which have been heaped upon me during my brief rule, nothing has more depressed my mind, nothing weighed more deeply upon my heart, than the separation from the brave, faithful, and loyal Schleswigers, who have, upon so many difficult occasions, constantly given the most brilliant proofs of fidelity and devotion to Denmark and the Danish Royal House, who have

cherished no dearer or more zealous wish than to remain united with the kingdom under my sceptre. But, my friends, we must all bow to the will of Providence, and I will pray to the Almighty that He may give both to you and to me the requisite strength and endurance to bear the bitter pangs of separation. I thank you heartily for your presence at this place, and will consider it as an additional proof of your devotion to me and the Danish Royal House. My best wishes for your future welfare will always be with you. May God preserve and bless you all!"

## CHAPTER IV.

## ITALY—SPAIN.

ITALY.—Important Convention with France on the subject of the withdrawal of French troops from Rome—Bill introduced into the Italian Chambers for transferring the capital from Turin to Florence—Remarkable speech of General Cialdini on the question—The Bill carried.

SPAIN.—Ministerial crisis—Successive attempts to form a Ministry—Señor Narvaez and his former Cabinet reinstalled in office—Speech of the Queen at the opening of the Cortes—Quarrel with Peru.

## ITALY.

ON the 15th of September a very important Convention was concluded between the Kingdom of Italy and the French Empire, for the purpose of defining the period within which the Papal States are to be evacuated by French troops. The following are the articles of the Convention :—

Art. 1. Italy engages not to attack the present territory of the Holy Father, and to prevent, even by force, every attack upon the said territory coming from without.

Art. 2. France will withdraw her troops from the Pontifical States gradually and in proportion as the army of the Holy Father shall be organized. The evacuation shall, nevertheless, be accomplished within the space of two years.

Art. 3. The Italian Government engages to raise no protest against the organization of a Papal army, even if composed of foreign Catholic volunteers, sufficing to maintain the authority of the Holy Father, and tranquillity as well in the interior as upon the frontier of his States, provided that this force should not degenerate into a means of attack against the Italian Government.

Art. 4. Italy declares herself ready to enter into an arrangement to take under her charge a proportionate part of the debt of the former States of the Church.

At the same time it was determined to remove the capital of the Kingdom of Italy from Turin to Florence. Several reasons conspired to make this a desirable change, but the chief was the exposed situation of Turin to attack either by France or Austria, in case of war. Florence is beneath the shelter of the Apennines ; and, except Rome, which at present is unattainable, it is, amongst the principal towns of Italy, the one that lies nearest the centre of the kingdom. But the population of Turin were naturally op-



posed to a measure which would reduce their fair city from a capital to a provincial town, and the demeanour of the crowd assembled in the square or place opposite the palace was so turbulent, that the soldiers fired upon it and several lives were lost.

A Bill was brought into the Chamber to authorize the transfer of the capital, and it gave rise to a long debate at the end of November, in the course of which General Cialdini delivered a speech which made a great sensation. It was remarkable for its spirit and eloquence, and we will give a few extracts to show what was the opinion of one of the best soldiers of Italy as to the relative advantages of Turin and Florence in a millitary point of view:—

“I do not pretend to turn the Senate into a conference of Generals, or a council of war, nor to submit to its examination and judgment a general system of defence of the State, such as I see and feel ought to exist. But I would fain demonstrate, and make the Senate comprehend, how and why a good general system of defence of the State exacts by implication, in my opinion, the removal of the capital beyond the Apennines. As the ideas and considerations on which this system rests are of the greatest clearness and simplicity, as they do not require special knowledge nor technical language to be understood, as every senator, doubtless, has the general structure and configuration of our country impressed on his mind, as love for it and its interests are engraved on his heart, I hope to be easily followed in my reasoning. Italy, gentlemen, has two-thirds and more of her frontier washed by the sea. The other third is joined to the continent by the circle of the Alps. In a sublime contrast at the foot of these gigantic and snowy Alps stretch out the vast and fertile plains of Lombardy and Piedmont. The Apennines, as if weary of the Mediterranean, bend back and cross over to the Adriatic, forming a great curtain, an immense towering curtain between the two seas, from Genoa to La Cattolica. After this rapid glance, let us reflect. In front of the Apennines you have the vast and beautiful valley of the Po, in which you find the Austrian encamped in his strong quadrilateral, and of which—I mean the valley of the Po—we can neither fortify nor defend the principal outlets, because they are not in our hands. The valley of the Po, therefore, shows us an enemy solidly established in a house which has its door open to whoever chooses to enter. Can it be pretended or desired that the capital of the kingdom should be in this valley of the Po? On this point I remember that the honourable Farina said that he desired to conserve the capital at Turin, that it might perpetually remain under the protection of the French empire. I have a great regard and esteem for the honourable Farina, and was therefore deeply grieved to hear from his lips a thought, an idea, so wounding to my sentiments as a soldier and a citizen. I see with regret that there is an abyss between me and the honourable Farina: I see that we are at the antipodes. He desires the capital of the Italian kingdom under the perpetual protection of the French empire;

I desire to see it placed under the sole protection of our own bayonets, of Italian arms, and Italian valour. I beg pardon of the Senate, but at this moment I remember another point. Yesterday the honourable Farina quoted a sentence of Napoleon, taken from the memorial of St. Helena. I confess that I did not quite seize the sense of that phrase, that maxim, nor have I had time to refer to it to understand it perfectly. Its meaning, however, seemed to be that Florence was not sufficiently central to become the capital of Italy. I fully concur in that opinion, and exactly for that reason I desire and hope to go to Rome. But, gentlemen, if Florence is not central enough to be even the provisional capital of Italy, what shall be said of Turin? Returning to the basis of my reasoning, I will tell you that behind the Apennines you have, on the contrary, a territory surrounded by the sea, and closed in by the Apennines themselves, easy of defence, without an enemy, unless you choose to qualify as such the army about to be enlisted by the Court of Rome, which can never be of a force to excite serious apprehension. It seems to me, gentlemen, that a doubt is not permitted, that hesitation is not possible. Let us hasten to remove behind the Apennines, not only the capital, but the arsenals, the depôts, the reserves, all our resources, all our most vital interests; then let the passes of the Apennines be put in a state of defence. From Genoa to La Cattolica the roads across them are only seven or eight. All these roads, gentlemen, offer gorges, defiles which are real Thermopylæ, where a few earthworks, a few guns, and a handful of brave men can arrest a whole army. Let us erect some solid fortifications at La Cattolica to secure the flank, and then multiply as far as possible the permanent and portable means of passing from one bank of the Po to the other, and thus prepare the possibility of useful, rapid, and decisive manœuvres. Whenever this general system of defence of the State is accepted and carried out, the destinies of Italy can never depend on the uncertain issue of a battle. At our pleasure, and according to circumstances, we can retire behind the Po and beyond the Apennines to await better days; or, if it suits us, if we are in a position to fight, we may come down and try the fate of arms in the valley of the Po. . . .

"A great master, an extraordinary genius for war, dictated a maxim at St. Helena, a sentence which, ill-interpreted or ill-applied, might one day become most injurious to our country. Napoleon said, 'The fate of Italy is decided on the Po.' . . .

"The fate of Italy is decided on the Po when Italy is incapable of fighting and defending herself; when Italy, unarmed, unwarlike, cowardly, looks on inactively at the struggle of two foreign armies, to fall a victim to whichever of them is victorious on the Po—oh! then, gentlemen, the precept of Bonaparte is just, the destinies of Italy are decided on the Po. But the campaign of Hannibal—the most memorable of ancient or modern times, because that great man first dared to brave obstacles not

overcome before his day and held to be insuperable, because he first dared strike at the heart of the most powerful and warlike people that ever existed—the campaign of Hannibal, I say, gives the lie to that precept, too absolute, too general, too exclusive. The battle of the Trebbia, won by Hannibal in the valley of the Po, did not decide the Roman destinies. Hannibal won two other battles still more terrible and bloody, at Thrasymene and at Cannæ, and Rome did not go down either then or after; on the contrary, Hannibal, the first captain in the world, was forced to retreat, was forced to abandon his enterprise. Gentlemen, I insist much, too much perhaps, on this argument, because I should grieve, most deeply grieve, if a fatal error could prevail in Italian minds—if it were believed in Italy that there is no defence, no safety out of the valley of the Po. Fortunately, great changes, great novelties, have occurred in Italy since that time. Passing over the electric telegraphs and railways which enrich the defence with extraordinary resources, I allude to points of far greater importance. Italy, inert for many centuries, has sprung up bounding with life, with aspirations, with national ardour. The land of the dead has seen 300,000 soldiers, with 500 or 600 cannon, start forth from her cemeteries. The land of the dead counts 200 battalions of mobilized National Guards, and an infinite number of volunteers, who in the hour of a supreme struggle would, I am sure, return to the side and the vanguard of the army. The land of the dead possesses fortresses, intrenched camps, a respectable fleet, and counts 22 millions of inhabitants forming a single State. There is more yet. Those Italians of whom it was said a few years ago, ‘Italians do not fight’—those Italians have dared several not inglorious campaigns, both under the grey capotes of the soldiery and the red shirts of the volunteers. . . .

“Gentlemen, affection for Turin and sorrow at seeing her dethroned have suggested strange ideas, singular comparisons, unexpected deductions. I have myself heard persons of great judgment, great learning, and in every way to be respected, affirm that the Apennines and the Po are insignificant obstacles; that, on the contrary, the watercourses on the left of the Po are barriers of great importance. I have heard it said, as I hinted just now, that the presence of the capital on the Po strengthens its defence, that the transfer weakens it, and other maxims of the same kind, which I have already more or less answered by anticipation, with reluctance however, as they are arguments which really do not require a serious confutation. Gentlemen, let us speak plainly. I too have a heart which profoundly feels the bitterness of political life, and can understand great affections and great sorrows. Heaven forbid, therefore, that a word, a single syllable, should fall from my lips which should in any degree wound those affections, those sorrows, which I fully comprehend and thoroughly respect. But when the security, the greatness, the future, the life of Italy are at stake, gentlemen, affection must



be silent, the heart must not speak; logic alone, cold and inexorable, must reason. An eye filled with tears does not see. A heart wrung by profound pain has only sad previsions, mournful presentiments. A suffering brain is oppressed by black images, by sorrowful ideas. But are we, gentlemen, to pause dismayed by presentiments, previsions, fears? Oh, if all the prophecies of misfortune had been verified, what would have become of us, what would have become of Italy? Let us take heart, and recognize that a secret force, more quicksighted, stronger, more enlightened than we, guides Italy on a determined course; let us acknowledge that the Italian revolution pursues its march, slow and pacific, but more irresistible than we could have imagined or desired, beyond the limits which we ourselves had imagined and traced out. I deplore the injury to Turin as much as any one, as on the field of battle I have often wept over fallen soldiers and friends; but, not to lose soldiers and friends, ought we to renounce combats and victories? Not to cause local injury or sorrows, shall we sacrifice the general interest, shall we sacrifice the public weal? With Turin, seated at the foot of the Alps, at the extremity of the State, but a few miles from the French frontier, in the most eccentric conditions which can be laid down, I dispute with pain, but with entire conviction, the title of a capital. As a duty of civic gratitude, with a feeling of infinite reverence, I join with all Italians in proclaiming Turin the most deserving city of the Italian resurrection. . . .

“Before sitting down, allow me to tell you that this discussion as a whole leaves in my mind a serious and painful doubt. Rather than to allow, tolerate, encourage the rivalry of local interests and convenience, rather than to speak in favour of this or that city, of this or that province, might it not, perchance, be more useful, more opportune, more prudent, more noble, always and exclusively to advocate general interests? to speak always and exclusively in the name of Italy? Rather than to deplore and grieve over the sacrifices necessary for the public weal, might it not, perchance, be better to encourage the country to endure them? If from this solemn place you tell the cities and provinces whence you come, that the sacrifices asked are indispensable for the safety, the strength, the future of Italy, be sure, gentlemen, the people will believe you. If you tell them that liberty, independence, national unity are blessings for which too high a price can never be paid, the people will believe you. Tell them so, I implore you. The school of sacrifice ennobles great causes, retempers the soul, and magnifies the national character of peoples. Prometheus could transform clay into men. Sacrifice alone changes men into heroes.”

In the result the Bill was carried by a majority of 131 to 47, and on the 11th of December a Royal decree appeared, declaring that the capital of the kingdom should be transferred to Florence within six months, and that to meet the cost of the transfer, a credit should be opened in the extraordinary portion of the Home

Budget, and under a special head, of 7,000,000f., divided as follows:—2,000,000f. in the Budget of 1864, and 5,000,000f. in the Budget of 1865.

## SPAIN.

A ministerial crisis occurred in Spain at the latter end of this year. The finances of that country have long been in a deplorable state, and the protracted contest against the rebellion in San Domingo has acted as a constant drain upon the public treasury. The Narvaez Ministry determined to recommend to the Queen to announce in her Speech from the Throne, at the opening of a new Session of the Cortes, that San Domingo would be abandoned. The Queen, however, peremptorily refused to consent to this, and the Ministry in consequence resigned. The Marquis of Pavia was then commissioned to form a Cabinet, but failed. Señors Isturitz and Miraflores were next successively applied to, but their efforts were equally abortive. The Queen, therefore, felt herself obliged again to have recourse to Señor Narvaez, who returned to office with his former Cabinet. The Cortes were opened on the 22nd of December, and the Royal Speech was remarkable for the omission of all allusion to San Domingo, but we believe there is no doubt that Spain intends to give up all pretensions to hold that island. The Queen said:—

“In inaugurating the labours you are about to undertake for so praiseworthy an object, I must observe that our relations with foreign Powers continue satisfactory. I have, nevertheless, to lament an exception in the case of Peru; but I am yet in hopes that a cordial agreement will soon be established between Spain and that Republic without the slightest injury to our dignity.

“The official notification of his accession to the throne, which has been addressed to me by the Emperor of Mexico, is for both countries the commencement of a new era of political and commercial relations, which had been unfortunately interrupted.

“The American peoples acknowledge the loyalty of our conduct, and are constantly more and more convinced that the sympathies of Spain are completely exempt from ambitious views and designs.

“A new proof of this frank and generous policy is found in the consolidation of the friendly relations which connect us with the States of Nicaragua, Guatemala, and the Argentine Republic.

“The complete peace and harmony which I hope to see secured with all the nations of the New World are about to be realized in our relations with the extreme East. My Government has

negotiated a treaty with the Emperor of China which will be submitted to your approbation, and which guarantees to us all the advantages obtained by other Powers.

"The Frontier Treaty recently concluded with the kingdom of Portugal will also be laid before you.

"Recent diplomatic combinations suspend all resolutions relative to the affairs of Italy, but as soon as they shall be brought to a definite solution, my Government will take cognizance of them from the point of view counselled by the most delicate prudence, and in such a manner as to avoid the slightest infringement of that respect and filial love professed by Spain, as by every Catholic nation, for the common Father of the Faithful.

"Bringing back my gaze to our country, I find myself compelled to tell you with regret that the general situation of the Monarchy, considered in all points of view, is not as satisfactory as could be desired. Bills of importance and considerable gravity will be laid before you within a brief period to remedy this condition of affairs. You will, I hope, take these into your consideration, and give them a solution in conformity with the prudence and patriotism of which you have always given proofs to the greatest advantage of the nation.

"Causes of divers characters have placed our finances in a position which requires ripe and serious examination.

"The progress of modern civilization, the prosperity and the greatness of nations, can only be realized at the expense of efforts which energetic and intelligent peoples never refuse."

The allusion to Peru was in consequence of a quarrel between the two Governments, in the course of which Spain had seized possession of the Chincha Islands, off the coast of Peru, valuable for their guano. The Peruvian Congress passed a Resolution calling upon the President to demand the immediate evacuation of those islands by the Spaniards, and if this demand was not complied with, he was directed at once to commence an attack upon the Spanish squadron. The result was not known at the end of the present year.



## CHAPTER V.

### BRITISH NORTH AMERICA — SANDWICH ISLANDS — MEXICO — NEW ZEALAND.

BRITISH NORTH AMERICA.—Scheme of a Federal Union of British possessions in North America—Resolutions passed at a Conference of Delegates from the Provinces.

SANDWICH ISLANDS.—Speech of the King at the Opening of his Convention or Parliament.

MEXICO.—Proclamation of the Emperor on ascending the Mexican Throne.

NEW ZEALAND.—Cause and origin of the war with the natives of New Zealand—The Waitara purchase—Military operations—Letter from the chief, William King—Sir George Grey appointed Governor of the colony—Correspondence between him and the Duke of Newcastle—Abandonment of the Waitara purchase—Operations of our troops—Submission of the Tauranga natives—Resignation of the Colonial Ministry—Escape of native prisoners of war—Continuance of the war.

### BRITISH NORTH AMERICA.

AN important movement, that may lead to consequences which no foresight can predict, took place this year amongst the dependencies of Great Britain in North America, with the full concurrence of the Imperial Government. This was the scheme of a Federal Union for all those provinces and colonies under the supremacy of the British Crown. A Conference of delegates from Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward's Island, was held at Quebec on the 10th of October, when Resolutions were passed of which the following are the most important:—

“That the best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several provinces.

“That in the Federation of the British North American Provinces, the system of government best adapted under existing circumstances to protect the diversified interests of the several Provinces, and secure efficiency, harmony, and permanency in the working of the Union, would be a General Government charged with matters of common interest to the whole country, and local Governments for each of the Canadas, and for the Provinces of Nova Scotia, New Brunswick, and Prince Edward's Island, charged with the control of local matters in their respective

sections,—provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-West Territory, British Columbia, and Vancouver.

“That in framing a Constitution for the general government, the Conference, with a view to the perpetuation of our connexion with the mother country, and to the promotion of the best interests of the people of these provinces, desire to follow the model of the British Constitution so far as our circumstances will permit.

“That the executive authority or government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered, according to the well-understood principles of the British Constitution, by the Sovereign personally, or by representative duly authorized.

“That the Sovereign, or representative of the Sovereign, shall be Commander-in-Chief of the land and naval militia forces.

“That there shall be a General Legislature for the Federated Provinces, composed of a Legislative Council and House of Commons.

“That for the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions—1st, Upper Canada; 2nd, Lower Canada; 3rd, Nova Scotia, New Brunswick, and Prince Edward’s Island, with equal representation in the Legislative Council.

“That Upper Canada be represented in the Legislative Council by 24 members, Lower Canada by 24 members, and the three maritime Provinces by 24 members, of which Nova Scotia shall have 10, New Brunswick 10, and Prince Edward’s Island 4 members.

“That the colony of Newfoundland shall be entitled to enter the proposed Union, with a representation in the Legislative Council of 4 members.

“The North-West Territory, British Columbia, and Vancouver shall be admitted into the Union on such terms and conditions as Parliament shall deem equitable, and as shall receive the assent of Her Majesty; and, in the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province. . . .

“The General Government and Legislature shall have all powers necessary or proper for performing the obligations of the Province, as part of the British Empire, to foreign countries, arising under treaties between Great Britain and such countries. . . .

“The local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide in the Act consenting to the Union. . . .

“That in regard to all subjects over which jurisdiction belongs to both the General and the local Governments, the laws of the Federal Parliament shall control and supersede those made by the local Legislature, and the latter shall be void so far as they are repugnant to or inconsistent with the former.

“That both the English and French languages may be employed in the General Legislature and in its proceedings, and also in the local Legislature of Lower Canada, and in the Federal and local Courts of Lower Canada. . . .

“The Confederation shall assume all the debts and liabilities of each Province. . . .

“All engagements that may be entered into with the Imperial Government for the defence of the country shall be assumed by the Confederation.”

### SANDWICH ISLANDS.

As a curiosity in the history of constitutional governments, we give the following speech of the King of the Sandwich Islands, delivered at the opening of his Convention or *Parliament*, in the course of the present year.

“Nobles and Delegates of the people,—It has pleased God Almighty to call hence to a better world my brother, Kamehameha IV., whose death has filled the nation with mourning, and my own heart with profound grief. The sudden and unexpected demise of this Sovereign, whose love you have all experienced, and whose time and talent were devoted to your good, is indeed a national loss. This deplorable instance of the uncertainty of life warns me of the necessity of earnestly and diligently trying to do what I can for the benefit of my people.

“It has been the traditional policy of my predecessors, to whom the kingdom is indebted for the liberal reforms that have been made, to lead the nation forward, and to watch over its welfare. My subjects will find in me, as they did in them, a jealous guardian of their liberties, and an earnest promoter of all measures calculated to increase their happiness, and to check the evils that tend to their destruction.

“I return to you, nobles and delegates of the people, my thanks for the prompt answer to the appeal I have made to your loyalty and patriotism. You have discarded certain assertions impugning my motives and my intentions, and this confidence indicates that you now meet me with the same spirit and sentiments which animated me in my appeal to you.

“During the course of the last twelve years the weak points of the Constitution of 1852 have been made apparent to all. The wisdom of the rulers and of the people combined have smoothed down its defects, but have not, however, succeeded in removing them. Difficult as the task we are about to undertake might have been a few years ago, time has succeeded in making it



easier, and I think that now these modifications can be discussed by us with adequate knowledge, and with the authority of experience.

“Several articles of the Constitution are so loosely worded as to leave room for doubts and uncertainty; these I shall successively point out to you in the course of our meetings. The order of succession to the Throne should be more fully established, and a clause making the marriages of the Royal family subservient to the public good might properly be inserted in the Constitution. The article providing for the alienation of the kingdom, although perhaps dictated at the time by peculiar circumstances, is one which, I think, ought to be erased from our Organic Law. Such a provision can do no good, and may do harm, and is repugnant to the feelings of all loyal men.

“The institution of the *Kuhina Nui* originated, in my opinion, in a wrong conception of our past history, and is an unnecessary check upon the Legislature in giving to this officer an absolute control over the acts of a body of which he himself is a member, and in which he has a vote. A provision for a Council of Regency, in case of minority of the heir to the Throne, would be in accordance with all monarchical customs.

“The protracted sittings of the Legislature have been caused, in many instances, by the absence of all direct intercourse between the House of Representatives and the Executive. I think the presence in this branch of the Legislature of one or two of the members of the Cabinet would be conducive to the prompt despatch of business.

“I am of opinion that the representation of the people ought to be apportioned and regulated according to the population by districts, and I would suggest the adoption of such an apportionment as would leave the number of representatives equal to what it is now.

“Experience has proved to my satisfaction, and I hope to yours, that a property qualification for the House of Representatives would have the effect of promoting industry and perseverance among my people, by making a seat in the House an object of ambition and a test of respectability. I am of opinion that this property qualification should be made so low as to bring this honour within the reach of every industrious man.

“The number and the importance of these modifications have induced me to call this Convention, in which the people being represented by you, gentlemen, their freely-elected delegates, you, my nobles, sitting for yourselves, and I for myself, all the constituting powers of this realm are concentrated. I hope that every noble and delegate will exercise freely the right of suggesting any provision on which he may have maturely reflected, with the assurance that such suggestions will be listened to, on my part, with the same consideration which I expect for my own. At the same time I shall claim for myself, or others speaking by

my authority, in my name, and in my presence, the same right of debate that I freely accord to each noble and delegate.

“May God, in His divine mercy, enlighten us in the course of our deliberations, and inspire all of us with the wisdom necessary to prosecute in mutual accord objects so dear to my heart as the welfare and the prosperity of the people upon whom He has called me to rule.

“And I do now declare this Convention opened.”

## MEXICO.

The following proclamation was issued at Vera Cruz, by the new Emperor of Mexico, Maximilian, to the Mexican people, on the 28th of May:—

“Mexicans,—You have called me among you. Your noble country, by the spontaneous expression of the wishes of the majority, has chosen me to watch over its future destinies. I answer the appeal with joy.

“However painful it may have been to bid a last farewell to my native country and those most dear to me, I have done so, persuaded that the Almighty has confided to me the noble mission of consecrating my life to a people weary of strife, anxious for peace and repose—to a people who, after having gloriously secured its independence, would wish to enjoy the blessings of civilization and true progress.

“That feeling of mutual confidence which animates us will be fruitful in brilliant results if we remain united and resolutely defend those great principles which form the true and durable bases of modern society—principles from which flow justice inviolable, equality before the law, opportunities for all to rise to high civil positions, individual liberty in unison with the protection of persons and property, the development of national wealth, the improvement of agriculture, of the working of mines, and industry generally, the creation of means of communication adapted to the extension of commerce, and, in fine, the development of intelligence in all that relates to the public good.

“With the blessing of God, progress and liberty will not fail us if all parties, guided by a strong and loyal Government, and preserving that religious sentiment which has distinguished our country from the most remote periods, unite to obtain the ends I have pointed out.

“The civilizing flag of France, raised so high by its noble Emperor, to which you are indebted for the return of peace and order, represents the same principles. It is what was told you some months back, in a language sincere and disinterested, by the

Commander-in-Chief when he announced to you a new era of prosperity.

"All nations resolved to become great and powerful have been obliged to follow this course. With union, honesty of purpose, and energy, the Almighty will give us strength to attain that degree of prosperity we all so much desire.

"Mexicans! the future of our fine country depends upon you. I shall ever be actuated by the purest of intentions, and a firm determination to respect your laws and make them respected. My strength lies in the protection of the Almighty and in your confidence. The flag of independence is my symbol; my motto—you know it already,—'Equity in justice;' to this I shall ever be faithful. I shall wield the sceptre with confidence, and the sword of honour with firmness. To the Empress is confided the enviable task of consecrating to the country all the noble sentiments of a Christian, and all the affection of a tender mother.

"Let us unite to obtain our common object; let us forget the past; let us bury in oblivion party animosities, and peace and happiness will dawn resplendent on the new Empire."

## NEW ZEALAND.

A contest which has dragged its slow length along for three or four years between the disciplined troops of Great Britain and the Maories, or native inhabitants of New Zealand, continued until the end of the present year. Nor was it then finished, and we fear that it will not be the last of the collisions, which it seems almost inevitable must take place between civilization and barbarism, until the native race becomes extinct, or is completely merged and absorbed in the mass of European colonists. We purpose to give a very brief and condensed account of the origin and progress of the struggle, the details of which have little to interest the general reader.

The quarrel arose out of that constant source of disputes, the title to native lands. It seems that in New Zealand each tribe has a sort of corporate interest in certain lands belonging to it, and the chief of the tribe has no absolute right over this territory—nor even of so much of it as consists of purely waste land—without the consent of certain subordinate chiefs, the heads of the different *hapu*, into which the tribe is divided. He cannot, in fact, sell any land but his own;—and of course still less has the chief or head of a *hapu* the power to do so. In 1859 the acknowledged chief of the Ngatiawa tribe at Waitara was a native called Wiremu Kingi, but known in the colony by the name of William King. One of the freemen of the



tribe—but not a chief of a *hapu*—was called Te Teira. This man offered in 1859 to sell to the Government a piece of land at Taranaki, which the Government, believing it to belong to him and other individuals who were willing to cede their right, agreed to purchase. William King, however, claimed this land as the property of the tribe, and refused to allow the sale. He forcibly resisted the survey of the land, and in 1860, a body of troops was sent to Taranaki to take possession of the ground. They landed at New Plymouth, under the command of Colonel Gold—and after a sharp contest, captured a *pah*, or fortified stockade, which the Maories, under W. King, had erected on the disputed land. This was the first commencement of the “little war,” in which England has been so long engaged. It is not our intention to give details of the inglorious contest into which we were thus drawn. The natives fought gallantly as they were attacked from time to time, and we had to deplore the loss of many valuable lives, both officers and privates, during the progress of the struggle. In the mean time, the worst passions of the natives were aroused, and several settlers were murdered by them. It became necessary to reinforce the British troops in New Zealand, and in June or July, 1860, Major-General Pratt, commanding the force in Australia, proceeded with a body of soldiers to Taranaki. After various successful operations against the natives, in which he destroyed many of their *pahs*, Major-General Pratt was ordered to return to Melbourne, and Major-General Cameron was appointed to the command of the troops in New Zealand.

The determination of William King to carry on this war is curiously expressed in the following characteristic letter written by him in November, 1860 :—

“Go, my loving letter, to my old woman, to Te Kiuni Topeora. Mother, salutations to you, the face of your brothers, your young children, and your sister : death cannot be avoided, for instance my sister has died. It is well ; they have gone the way of their parents and of their brothers. It is well, accident took them (they died a natural death) ; enough of these loving words of mine to you and your youngest child.

“Hearken, O mother, this is my second word to you. I am clothed with the dying injunction of Mokau (Rangihaeata), that is, in regard to the red coats, and this it is that I am carrying out now.

“This is a word to you, let not the chiefs of your runanga come to make peace. Mother, peace will not be made ; I will continue to fight, and the Pakehas will be exterminated by me, by my younger brother Te Hapurona, by his ducks, and by Waikato. I say to you, therefore, let no man come to make peace, or to insult me ; let no man think that it is mere nothing on the part of my younger brother Te Hapurona and me. Hearken, O mother ; it is well with your children and us, we die upon the land which you and your brothers left to us. I am now fulfilling the words of

Rere and Mokau ; this is why I am persisting. Let me continue to fight, mixed by day and mixed by night<sup>1</sup>.

“Farewell, O mother ! residing with the tribe of your brothers and of your children. I have no word to say to Karanama Te Kapukai, because his word to me was incorrect. My love is towards Te Ahi and Pohue. Enough of that. This is a word to Epiha and Te Hoia. Friends, salutations. We are here eating the English pebbles (bullets) ; my friends, my parents, this shall be my work for ever. What, though my people and I may die, we die for New Zealand. It was Waikato caused the success of the Pakehas ; had I been alone the Pakehas would have been exterminated. As it is, Waikato has fallen, thirty-seven died ; the chiefs were Te Wetini Taiporutu, and Paetai Te Mahia.

“This is a word, Epiha, to you, and Te Hoia, and Te Karanamu, to write the thoughts with Heremia and Wi Tako, with Hohepa. Epiha, raise the flag of New Zealand ! Enough.”

At this time Mr. Gore Browne was Governor of the colony, but in May, 1861, he was superseded, and Sir George Grey, who had been Governor of the Cape of Good Hope, was appointed in his place. The reason assigned for this by the Colonial Secretary, the Duke of Newcastle, was the little effect hitherto produced by the military operations at Taranaki—and the wide-spreading disaffection of the Maories. The Duke said in his despatch to Governor Browne :—

“I am far indeed from ascribing this untoward course of events to those who are responsible for the conduct of affairs in New Zealand. On the contrary, I recognize with pleasure the sound and impartial judgment, the integrity, intelligence, and anxiety for the public good, which have characterized your government of the colony for nearly six years. The present conjuncture, however, renders it necessary for Her Majesty’s Government to leave no expedient untried which is calculated to arrest the course of events, now unhappily so unpromising, and, at the same time, to provide for the future difficulties, which there is only too much reason to anticipate, even if the war should happily be soon brought to a conclusion. Having regard, therefore, to the peculiar qualifications and experience of Sir George Grey, now governing the Cape of Good Hope, I have felt that I should be neglecting a chance of averting a more general and disastrous war, if I omitted to avail myself of the remarkable authority which will attach to his name and character, as Governor of New Zealand.”

Sir George Grey accordingly arrived in the colony, and in a despatch written by him to the Duke of Newcastle, on the 2nd of November, 1861, after mentioning that a native called William Thompson was one of the leaders of the rebels, he said :—

“It is thought that William Thompson wishes to come to see me, and arrange every thing, but that a fear of the most violent of his countrymen will probably prevent him from doing this.

<sup>1</sup> A proverb signifying resolution to go on fighting.

"Your Grace will next find that there are three classes of Waikato natives who have engaged in the war of Taranaki.

"(1.) The Ngatihana tribe, whom Wetini led, who suffered severely, and have no plunder.

"(2.) The Waikato tribe, who fought fairly, and have very little plunder.

"(3.) The Ngatimaniapoto under Rewi, who have lost very few men, did all the house-burning business, and who possess lots of plunder, which they will not give up.

"As might naturally be expected from such a state of things, Rewi and most of the chiefs of his part of the country, who have all the plunder from Taranaki, refuse even to be present at a great meeting, which is to be held to consider what is to be done now I have arrived. In short, Rewi and his followers set all the rest of the Waikato chiefs at defiance, being in inaccessible parts of the country, and evidently determined to hold the booty they have.

"Your Grace will also find that the wife of the so-called native king, in compliance with the views of those of the natives who wish to return to their own customs, has had her lips tattooed. For this her husband's own council have fined her 10*l.*, and the chief who did it 5*l.*, thus showing which way their views lean, whilst the chief who tattooed the lady's lips, despising alike the king and his council, refuses to pay the fine.

"Again, in the midst of this supposed dangerous country, quietly resides a Mr. Armitage, an intelligent, enterprising gentleman. English Government or Maori king (neither of whom has any power in his district) are alike to him. Not minding the English law to the contrary, he leases a piece of land direct from the natives, puts up a notice on the old path which crosses the land so leased, warning pedestrians to go to the left, and with absolute impartiality towards all races, farther notifies that he shall fine all trespassers one shilling, and that if he sees any one, whether Maori or European, upon the old path, he shall come out, and in person collect the said sum<sup>2</sup>. I think if the so-called Maori king had, even upon land which was his own personal property, assumed the powers that Mr. Armitage has, it would have been considered an act of open rebellion, yet the Maoris are a very imitative people, and it is quite probable they will follow the example set them."

Sir George Grey's own opinion was that the natives were in the right as regards the original cause of quarrel—namely the purchase of the land at Waitara. In a despatch written by him on the 24th of April, 1863, he said:—

"Your Grace must be well aware that this Waitara question was from the first made a party question, regarding which the most violent controversy raged, and men's passions were much excited. Like all other questions between races in a state of hostility, it was by many taken up as a question of race, and it will, I fear, even

<sup>2</sup> Mr. Armitage was afterwards murdered by the natives.



now be difficult for any European to allege that the natives are in the main right in their answers to the allegations made against them regarding the Waitara purchase, without raising a feeling of violent hostility in the minds of many people. Leaving apart, however, those far higher considerations which influence your Grace, I know that we are both to stand at the bar of history, when our conduct to the native race of this country will be judged by impartial historians, and that it is our duty to set a good example for all time in such a most important affair. I ought, therefore, to advise your Grace, without thinking of the personal consequences which may result to myself, that *my settled conviction is, that the natives are in the main right in their allegations regarding the Waitara purchase, and that it ought not to be gone on with.* I have given the same opinion to my responsible advisers, as your Grace will find from one of the enclosures to this despatch. I hope they may adopt my opinion and act speedily upon it."

The Duke of Newcastle expressed his opinion upon the question of the original purchase of the land at Waitara, in a despatch addressed to Sir George Grey, on the 25th of August, 1863, in which he said :—

"If it be true that a number of families were residing upon and cultivating portions of the land offered for sale (variously estimated at from 10 to 120 acres out of the 980 acres which formed the 'Block'), I have no doubt but that Governor Gore Browne and his Ministers, upon discovering the fact, would have carefully reserved and respected such portions, in accordance with the invariable practice of the New Zealand Government, or even have refused to have any further dealing with parties who, like Teira, and the other sellers, had been guilty of concealing from the Governor so important a circumstance. If again they had been aware that W. King had established his residence on the south bank of the Waitara in virtue of a general tribal arrangement for purposes of defence, this fact might have formed an important element in their decision as to whether the purchase could properly and safely be proceeded with. On the whole, I agree with you that your predecessor, if he had been in possession of these facts, would not have committed himself to the purchase, and I am clearly of opinion that he would not have been justified in doing so. The information, indeed, which you now supply converts into a certainty the doubts which I expressed in my despatch of November 27, 1860, and upon other occasions, as to the prudence of the policy pursued by Governor Browne and his Ministers, with an evident want of sufficient knowledge of the case, as well as of foresight of the consequences, though with fair and upright intentions; while it lessens the serious difficulty of abandoning a publicly declared determination in the face of armed opposition.

"I have said so much as to the propriety and prudence of the Waitara purchase. But I must add, on the other hand, that my view of the justice of exerting military force against W. King and

his allies remains unchanged. That chief's conduct, from first to last, still seems to me to have been inconsistent with any degree of submission to the Queen's sovereignty over New Zealand."

Sir George Grey issued, in the month of May, 1863, a proclamation stating that circumstances connected with the purchase of a tract of land at the Waitara river in 1859, unknown to the Government at the time of the sale, had lately transpired, which made it advisable that it should not be proceeded with, and declaring that the purchase was abandoned, and all claim to it on the part of the Government was thenceforth renounced.

But the natives were in arms and would not submit. The war therefore went on, and General Cameron attacked with success their fortified posts on the Katikaia river, in June 1863. To give some idea of the kind of conflict in which we were engaged, we select the following passage from the report of Colonel Warre, who captured one of the *pahs*.

"For a few minutes the fire was returned, but finding it of no avail against an almost invisible enemy concealed in rifle pits, the whole rushed forwards, and vied with each other in entering the position, jumping over the rifle pits, from which they met with a most determined opposition. The Maories fighting desperately to the last, a hand to hand combat ensued, which was only terminated by the *wharres* catching fire, and burning many of the Maori defenders in the ruins. Twenty-one Maories were taken out of the rifle pits killed, three are known to have been burned in the smaller *wharre*, and four in the larger, and it is believed that several others perished in the flames, which, with the stench arising from the consuming flesh, prevented accurate information being obtained. One Maori was picked up dead on the road, and many more, wounded, escaped, and were seen to take refuge and hide themselves in the fern and bush. Thus in the short space of one hour twenty-two Maories killed were brought away in carts, as many more were wounded, and destroyed in the burning *wharres*, and a complete victory gained over a savage enemy by the bayonet alone, not over five rounds of ammunition per man having been expended in the encounter."

But our troops were not always so fortunate. In the beginning of April this year, during an attack made by them on an intrenched position of the Maories at Orakau, the siege lasted two days, and although the place was then taken we had 16 men killed and 52 wounded. And in another engagement at the end of the same month, when a combined attack was made by the British naval and military forces upon a native intrenchment at Tauranga, our troops were actually repulsed, with a loss of 10 officers killed and 4 wounded, and 25 privates killed and 72 wounded—making a total of 111 killed and wounded.

In his despatch, General Cameron says:—

"The assaulting column, protected by the nature of the ground, gained the breach with little loss, and effected an entrance into

the main body of the work, when a fierce conflict ensued, in which the natives fought with the greatest desperation. Lieutenant-Colonel Booth and Commander Hay, who led into the work, fell mortally wounded. Captain Hamilton was shot dead on the top of the parapet while in the act of encouraging his men to advance, and in a few minutes almost every officer of the column was either killed or wounded. Up to this moment the men, so nobly led by their officers, fought gallantly, and appeared to have carried the position, when they suddenly gave way and fell back from the work to the nearest covert.

"This repulse I am at a loss to explain otherwise than by attributing it to the confusion caused among the men by the intricate nature of the interior defences, and the sudden fall of so many of their officers."

In the following night however the natives abandoned the *pah*, and it was taken possession of by the British. On the 21st of June, the Maories were attacked by our men as they were intrenching themselves at Tauranga, and they were soon defeated. The report of Colonel Greer, the officer in immediate command, says:—

"For a few minutes the Maories fought desperately, and then were utterly routed. Sixty-eight were killed in the rifle pits.

"The position was very favourable for their retreat, otherwise few could have escaped. The defence force pursued them several miles, but could not get well at them, owing to the deep ravines with which the country is every where intersected."

The natives of Tauranga at last yielded, and placed their lands unconditionally at the disposal of the Governor, who on the 6th of August issued an address to them in which he said:—

"At present I am not acquainted with the boundaries or extent of your lands, or with the claims of individuals or tribes. What I shall therefore do is this: I shall order that settlements shall at once be assigned to you as far as possible in such localities as you may select, which shall be secured by the Crown grants to yourselves and your children. When this has been done, and the boundaries of your lands have been ascertained, I will inform you in what manner the residue of your lands will be dealt with; but as it is right in some measure to mark our sense of the honourable manner in which you conducted hostilities, neither robbing nor murdering, but respecting the wounded, I promise you that in the ultimate settlement of your lands, the amount taken shall not exceed one-fourth of the whole land. And in order that you may, without delay, again be placed in a position which will enable you to maintain yourselves, as soon as your future location has been decided, seed potatoes and the means of settling on your lands will be given you."

The Governor was extremely anxious, as his conduct showed, to put an end to the struggle by concessions to the natives; but his Ministers disagreed with the policy which he was ready to adopt, and in the result they all resigned office at the end of



September. The Governor had incurred some obloquy in the colony, owing to the extraordinary escape, on the night of the 10th of September, of 200 rebels, prisoners of war, who had been placed for safe custody in an island called Kawan, to the north of Auckland harbour, the private property of His Excellency, but over whom no guard had been posted. Sir George Grey and his Ministers mutually incriminated each other as responsible for the evasion of these natives.

Although the Tauranga Maories had submitted, the Waikato and Taranaki natives still held out, and the war with them continued to smoulder on during the remainder of the year.

## CHAPTER VI.

## AMERICA.

Inaction of the Federal and Confederate armies in the early part of the year—Fort Pillow and Plymouth taken by the Confederates—General Meade's Address to his troops—Operations of the army of the Potomac and the Army of Virginia before Richmond—Obstinate battles—General Grant besieges Petersburg—General Sheridan sent to the Shenandoah Valley—Naval combat off Cherbourg and destruction of the Confederate cruiser "Alabama"—Financial position of the North—Mr. Stuart's Report—Report of the Secretary of the Confederate Treasury—Resignation of Mr. Chase—Confederate raid into Maryland—State of Richmond—Operations in Tennessee and Georgia—Abortive attempt by Peace Commissioners to put a stop to the war—Federal attempt to take Petersburg by storm defeated—Naval expedition of the Federals against Mobile—Fall of Atlanta—Military operations in the Shenandoah Valley.

NOTHING occurred in the first three months of the present year in either the Federal or the Confederate States to require historical notice. Each of the hostile Powers was preparing for the struggle which would be renewed in the spring, and every effort was made on both sides to augment their military forces and place them in a state of efficiency for the approaching campaign.

Early in April the Confederate General Forrest captured Fort Pillow, a strong position situated on a high bluff of the Mississippi, above Memphis. The defence was gallantly conducted and the struggle was of a severe character. General Forrest did not, however, attempt to hold the place, but proceeded to demolish it, throwing the heavy guns into the river.

In North Carolina, Plymouth was taken by the Confederates under General Hoke, on the 17th of April, when not only the town, but the four surrounding forts and 2500 prisoners fell into their hands.

General Meade, who commanded the Federal army of the Potomac, opened the spring campaign this year by an address to his soldiers dated May 4. He said:—

"Soldiers,—Again you are called upon to advance on the enemies of your country. The time and the occasion are deemed opportune by your Commanding-General to address you a few words of confidence and caution. You have been re-organized, strengthened, and fully equipped in every respect. You form part of the several armies of your country—the whole under the direction of an able and distinguished General, who enjoys the confidence of the Government, the people, and the army. Your movement being in co-operation with others, it is of the utmost importance that no effort should be left unspared to make it successful.

“Soldiers,—The eyes of the whole country are looking with anxious hope to the blow you are about to strike in the most sacred cause that ever called men to arms. Remember your homes, your wives, and children; and bear in mind that the sooner your enemies are overcome, the sooner you will be returned to enjoy the benefits and blessings of peace. Bear with patience the hardships and sacrifices you will be called upon to endure. Have confidence in your officers and in each other. Keep your ranks on the march and on the battle-field, and let each man earnestly implore God’s blessing, and endeavour by his thoughts and actions to render himself worthy of the favour he seeks. With clear conscience and strong arms, actuated by a high sense of duty, fighting to preserve the government and the institutions handed down to us by our forefathers, if true to ourselves, victory under God’s blessing, must and will attend our efforts.”

General Meade, however, retained only nominally the chief command, for henceforward all the operations of the Army of the Potomac were under the immediate direction and control of Lieutenant-General Grant.

He had three infantry corps of 30,000 each, distributed in four divisions. But at the end of April he was joined by General Burnside from Tennessee, whose forces, with the addition of the cavalry under General Sheridan, brought up the total number of his army to about 135,000 men. A separate division of 25,000 men was at the same time to act under General Sigel in the Shenandoah Valley, and General Butler, with a body of 35,000 troops, was to occupy the ground between the York and James rivers, and hold himself in readiness to co-operate with Grant at the proper moment.

Richmond was defended by the army of Virginia, under the command of the veteran and well-trying soldier, General Lee. But to the south lay General Beauregard and his troops, who had quitted Charleston to protect the Confederate capital, and mustered 25,000 men. The defence of the Shenandoah Valley was entrusted to General Breckenridge, who had succeeded General Early.

Such was the strength and such the disposition of the hostile forces when Grant commenced his march upon Richmond by crossing the Rapidan with his left, on the night of the 3rd of May. His object was to reach, if possible, the Spottsylvania Court House, in the midst of the woods which cover the country to the south of Chancellorsville, before Lee could attack him. But the Confederate General was not to be taken unawares. He advanced to meet the coming tempest of war, and fiercely assaulted the Federal columns on the evening of the 5th of May—but with no decisive result. Next day the combat was renewed with increased fury; but in the mean time the Federals had been able to throw up intrenchments—which is always an easy matter in forest ground—and thus they were better prepared than the day before to withstand the shock of the Confederate assault. The battle lasted the



whole day. General Longstreet fell, desperately wounded, and another Confederate General, Jenkins, was killed. The carnage on both sides was great, but neither of the combatants could rightfully claim the victory. But the Federal Government did, as usual, claim it, and President Lincoln issued a proclamation, stating that enough was known of the army operations to justify especial gratitude to God. He therefore recommended "that all patriots, at their homes, in their places of public worship, and wherever they might be, should unite in common thanksgiving and prayer to Almighty God."

In the mean time, General Butler had gone round by sea with a strong Federal force to the James River, where he landed, and crossing the Chickahominy, intrenched himself at Bermuda-landing. He stated in his despatch to the Secretary of War that he had destroyed many miles of railroad, and got a position which, with proper supplies, he could hold against the whole of General Lee's army. He added in the characteristic language of an American, that he had "whipped" a portion of General Beauregard's force, "after a severe and well-contested fight."

Next day Lee did not attempt to attack, but stood on the defensive, while Grant pushed forward his left towards Spottsylvania Court House, where the chief roads of the district intersect each other. Lee's right, however, moved to intercept him, and drove back the advancing column of the Federals from the neighbourhood of the Court House.

We do not propose to give a detail of the bloody obstinate struggles which took place during the next ten days between the contending armies. In a letter received at Washington from one of the Federal Generals, he said, "Every body is fighting, and has been for eight days<sup>1</sup>."

In the result General Lee resolved to contract his line and draw closer to Richmond. To cover his real purpose he, on the 19th of May, made a feigned attack on the Federal right, but at the same time the great bulk of his army retired southward, and the whole Confederate force took up a strong position, not more than twenty miles from Richmond. His right was protected by a swamp, and his left by a rivulet, while his front was defended by intrench-

<sup>1</sup> We cannot give the amount of the killed on the side of the Federals during these engagements, but on the 16th of May the number of their wounded left under treatment at the temporary hospitals of

The Wilderness and Chancellorsville was . . . . .	2,400
At Fredericksburg . . . . .	12,250
At Alexandria . . . . .	2,000
At Washington . . . . .	12,150
At Georgetown . . . . .	1,500
At Baltimore and other cities northward . . . . .	3,500

Total wounded 33,800

And this was exclusive of the losses of General Butler in the James River Peninsula and General Sigel in the Shenandoah Valley.

ments and works projecting forward like the convex curve of a bow.

General Grant, finding that the position of the Confederates was too strong to be attacked with any hope of success, moved towards the Pamunkey River on his left, and crossed it on the 27th and 28th of May, at a place called Hanover Town, distant about twelve miles from Richmond. This necessitated a corresponding change in General Lee's line, for his object was to interpose his army as a wall between the enemy and the Confederate capital, and make it impossible for Grant to attack Richmond without first encountering and defeating himself; and he had the advantage over the Federals that while they were obliged to move on a wider circle, he could, by describing a much smaller arc, always confront them,—with the defences of Richmond on his rear, on which he could fall back in case of need.

On the 1st of June, the Federal left made an unsuccessful attempt to turn General Lee's right near Coal Harbour, on the road from White House to Richmond—and on the 6th, General Grant again attacked him at the point where his lines crowned some eminences north of the Chickahominy—but he was compelled to retire with considerable loss. On the evening of the same day the Confederates became the assailants, and attacked Grant's left, but were equally unsuccessful. In fact, as a general rule throughout this terrible war, it has been found that the party who attacks his opponent fails. This, no doubt, is in a great measure due to the nature of the country—full of woods and natural means of defence—which enable an army to intrench itself strongly in a very short space of time. The consequence is that the assailant generally finds that he has to storm a kind of fortified camp in order to come to close quarters with the enemy.

General Grant now resolved upon a change of plan which took every body by surprise. He abandoned the line of the Chickahominy, and transferred his whole army to the south side of the James River. He might have gained the same point without the loss of a man, if instead of marching by land, and fighting a series of unsuccessful battles, he had embarked his troops on board ship and sailed from the neighbourhood of Washington to the peninsula. Like a wolf round a sheepfold he had been for weeks prowling round the forces of the Confederates—moving on the arc of a wide circle towards the south of Richmond, and he found himself at last, after a terrible waste of life, just where he might have been without the sacrifice of a single soldier. He was in hopes that by this manœuvre he might surprise Petersburg, against which he detached a body of 15,000 men, under General Baldy Smith; and the assault was so furiously made, that the outer works of the Confederates were carried by storm. But the Federals could penetrate no further, and although General Grant came up with his whole force, an attack by him on the inner lines of defence, on the 15th of June, was repulsed with heavy loss. He was obliged to retire, and

intrenched himself in a camp a mile and a half from Petersburg—which was now regularly besieged.

In the mean time, General Sheridan had been detached from the army of the Potomac, and sent by Grant to operate in the Shenandoah Valley. Here Sigel had been severely beaten by Breckenridge, on the 15th of May, and driven back to Winchester with heavy loss.

Great exultation was felt in the Federal States by the news that the Confederate cruiser, "Alabama," which was long the terror of the merchantmen of the North, and had hitherto defied the utmost efforts of the United States' navy to capture her, had been destroyed on the 19th of June, in a naval engagement with the Federal ship "Kearsage," off Cherbourg, on the coast of France. The "Alabama," which was commanded by Captain Semmes, had put into Cherbourg for repairs, and the "Kearsage" lay waiting for her outside. A French man-of-war followed the "Alabama" out of the port, to prevent a violation of international law, by the commencement of the combat too near shore—and the fight took place about nine miles from Cherbourg. It was short and decisive. The "Kearsage" was defended by iron chains hanging over the bulwarks, upon which the shot from the "Alabama" could make no impression, and at the end of an hour from the beginning of the engagement, the "Alabama" was disabled, and in a sinking state. She soon afterwards went down with some of the crew on board, but many of them, together with Captain Semmes, and thirteen officers, were saved by the boats of an English steam yacht, the "Deerhound," which had accompanied the "Alabama" out of harbour, to be a spectator of the fight.

It will be interesting to see what the financial condition of the United States is under the pressure of prolonged war, and we propose to give some extracts from a very able report drawn up in the early part of the present year, by Mr. Stuart, Her Majesty's Secretary of Legation at Washington, who derived his information from the reports presented to Congress, by Mr. Secretary Chase, for 1861, 1862, and 1863—and also from the report for 1860, of Mr. Chase's predecessor, Mr. Cobb:—

"The following will show the amount of the public debt, and of the interest paid thereon at the end of each of the last four financial years:—In 1860, the public debt was 13,299,733*l.*, bearing an interest of 650,372*l.*; in 1861, debt 18,658,691*l.*, interest 821,390*l.*; in 1862, debt 105,587,509*l.*, interest 2,708,485*l.*; and in 1863, debt 225,624,883*l.*, interest 5,077,997*l.* The same statistics for the current year and for 1865, according to Mr. Chase's estimates for those years, will give the following results:—For 1864, public debt 346,397,667*l.*, interest payable 12,148,898*l.*; for 1865, debt 458,302,913*l.*, interest 17,533,403*l.*

"The following shows the receipts from all sources, including loans, and the expenditure during each of the years, those for 1864 and 1865 being, of course, only estimated as the probable amounts



by Mr. Secretary Chase :—In 1860 the receipts were 16,651,192*l.*, and the expenditure 15,905,975*l.*; in 1861, receipts 17,830,780*l.*, expenditure 17,367,317*l.*; in 1862, receipts 119,894,301*l.*, expenditure 117,215,954*l.*; in 1863, receipts 185,036,072*l.*, expenditure 183,941,813*l.*; for 1864 the estimated receipts are 155,147,536*l.*, the estimated expenditure 153,949,067*l.*; and for 1865, estimated receipts 42,471,568*l.*, the estimated expenditure 154,376,814*l.* With regard to the returns for 1863, Mr. Chase explains that 37,183,087*l.*, included in both receipts and expenditure, were borrowed for the payment of the existing funded and temporary debt, and were spent accordingly. The estimated receipts for 1865 do not include those which will be acquired from loans. . . .

“It will now be interesting to show the extent to which Congress has provided the means required for the prosecution of the war, and how far the Secretary of the Treasury has availed himself of the extraordinary powers which have been entrusted to him. The calculation has been made easy by a table which Mr. Chase has annexed to his last report, giving a synopsis of the various Acts of Congress by which loans have been authorized, and showing the amounts authorized as well as those respectively issued in virtue of such Acts. Taking these collectively since the commencement of the war, it appears that during the period between July 1861 and March 1863, Congress authorized loans to the amount of 268,993,839*l.*, exclusive of an unspecified amount of certificates of indebtedness, payable in one year from date, and bearing interest at the rate of 6 per cent. No less than 104,722,792*l.* of the above might be issued in United States legal tender notes bearing no interest, or in fractional currency; and the amount of such notes actually outstanding on June 30, 1863, appears to have been 84,433,278*l.*, and on September 30, 1863, 86,760,837*l.* Of the interest-bearing debt raised during the same period by Mr. Chase, and outstanding on June 30, 1863, there was 122,532,912*l.*, and on September 30, 1863, 145,595,635*l.* These sums include respectively 32,193,889*l.*, and 32,221,445*l.* issued in certificates of indebtedness. The total amount of debt, therefore, actually raised from loans during the two years ending on June 30, 1863, and outstanding at that date, was 206,966,190*l.*, and the addition made to it up to September 30, 1863, raised it at the latter date to 232,356,472*l.*, and the entire outstanding debt at the same date to 250,947,342*l.*

“It has been seen that Mr. Secretary Chase estimates that on June 30 next the total debt will amount to 346,397,667*l.*, an increase of 135,055,236*l.* during the current year; and that on June 30, 1865, it will amount to 458,302,913*l.*, a further increase of 111,905,246*l.* The total amount added to the public debt during the four years ending on June 30, 1865, will be no less than 439,644,222*l.*, according to Mr. Chase’s present calculation. . . .

“It remains to notice the small proportion, as compared with the expenditure or with the sums raised from loans, of the revenue of the country derived from taxation or from sources other than

loans. The actual revenue so derived, including the proceeds of customs duties, the sale of lands, internal duties, &c., amounted to only 10,664,418*l.* during the fiscal year 1862, or to about an eleventh part of the total expenditure, and during 1863 to 22,874,693*l.*, or to about one-eighth of the expenditure. The estimates for 1864 and 1865 respectively count upon receiving 32,082,022*l.*, or about one-fifth of the expenditure for the former, and 41,273,099*l.*, or somewhat less than one-fourth of the expenditure for the latter year, from ordinary revenue; but hitherto the actual receipts from taxation have fallen very far short of the estimates. For instance, in 1863, the internal revenue and the income tax together only produced 8,034,063*l.*, instead of the sum of 19,933,680*l.* expected by Mr. Chase<sup>2</sup>."

We now turn to the Confederate account of the state of their finances as given in a report by the Secretary of the Treasury, on the 2nd of May.

From this it appears that the total amount of the public debt of the South, on the 1st of April, after making some deductions, which it was thought fair to place to the credit side of the account, was \$505,792,103. The report stated that "the estimates submitted by the various Departments for the support of the Government, to the end of the calendar year, say December 31, 1864, are as follows:—

Legislative . . . . .	\$245,625 00
Executive, salary of President, &c. . . . .	37,350 00
Treasury Department . . . . .	22,508,462 50
War Department . . . . .	483,131,598 00
Navy Department . . . . .	10,059,923 78
State Department . . . . .	44,914 00
Department of Justice . . . . .	347,991 58
Post Office Department . . . . .	165,583 40
<b>Total . . . . .</b>	<b>\$516,541,448 26</b>

"The foregoing statements show that the estimates in December

<sup>2</sup> The following table gives the number of men on the Federal side called into military service since the outbreak of the war:—

Under the President's first call, April 19, 1861 . . . . .	77,875
Volunteers for the war, 1861 . . . . .	660,971
Under the President's call of July 1, 1862 . . . . .	300,000
Militia called out in August, 1862 . . . . .	300,000
Militia called out in June, 1863 . . . . .	120,000
By conscription, July, 1863 . . . . .	250,000
Since October 17, 1863 . . . . .	700,000
<b>Total . . . . .</b>	<b>2,408,846</b>
Deduct militia and three months' men . . . . .	497,875
<b>Balance . . . . .</b>	<b>1,910,961</b>

Thus it is seen that 1,910,961 men were placed in the field, exclusive of the temporarily-serving militia, of the black soldiers, and of the hundred days' men who offered their services this year.

last for the six months ending July 1, 1864, are greatly beyond the requirements of the Government. It appears from them that the whole expenditure for all branches of the Government for the six months ending April 1, 1864, amounted to \$255,563,722, and that the unexpended balance then standing to the credit of appropriations was \$608,241,569. The anticipated tax upon the currency, which was to accrue on April 1, doubtless kept back requisitions for debts accruing since February 17, when the Tax Act was passed. It would be proper, therefore, to add, for this item, about \$75,000,000 to the expenditure. The total expenditure for the six months would then be about \$330,000,000, and the balance to the credit of undrawn appropriations would be about \$523,000,000. . . .

“On April 1, when the reduction was to commence, the whole issue of general currency (represented by the treasury notes bearing no interest) amounted to about \$800,000,000. Of this amount, \$50,000,000 were probably at the credit of the different disbursing officers throughout the Confederacy, leaving \$750,000,000 as the actual circulation. Of this amount, about \$250,000,000 have been funded east of the Mississippi; and it may fairly be presumed that \$50,000,000 more will be funded west of the Mississippi; thus leaving in circulation \$450,000,000. The depositaries were directed to discriminate in their reports between the notes of \$100 and those under \$100 which have been funded. Only a few of them have made reports in which this direction has been complied with, most probably from want of time to separate notes. But those few are in the cities where the \$100 notes would be likely to accumulate. They disclose the remarkable fact that less than one-half, in some cases not more than one-third, of the notes funded are \$100 notes. It may be assumed, therefore, that not more than one-half of the whole amount funded consists of \$100 notes. By the terms of the Currency Act, these notes are thrown out of circulation after April 1, and are taxed 10 per cent. per month, until extinguished. It is important, therefore, to ascertain the amount of those now outstanding.

“The whole amount of \$100 notes, issued to April 1, 1864, was \$318,000,000. It is probable that of the \$50,000,000 remaining at that date to the credit of disbursing officers, a large proportion is represented by these notes, say \$40,000,000, thus leaving \$278,000,000 in circulation. Deduct from this sum one-half the total amount funded, which as already stated consists of \$100 notes, to wit \$150,000,000, and there are left unfunded \$128,000,000 of these notes. This sum, therefore, constitutes that remainder whose amount we have been seeking, and is to be deducted from the \$450,000,000 left as the entire circulation after the funding. The result is that the whole currency would then stand at \$322,000,000. Deduct from this balance the tax of one-third which is imposed by the Currency Act, and the actual currency left in circulation is \$214,000,000 and a fraction. . . .

“The Currency Act has distinctly guaranteed to the holders of



currency the right to receive new issues upon the abatement of one-third from the old, and this right cannot justly be impaired. It should only be dealt with, therefore, by offering to the holders of these notes a security which they might prefer to the new issues. Possibly, this might be done by giving them an option to exchange their notes for four per cent. bonds free from taxation. This freedom from taxation would be an equivalent for the reduction of one-third, to which their notes had been subjected, and if this plan were accepted, equality between these holders, and those who had already funded their notes in four per cents., might be restored, by granting them the privilege of exchanging their four per cent. taxable bonds for untaxable, at a reduction of one-third. The compensation to the Treasury would be found in the amount which would thereby be paid in money, instead of four per cent. bonds, for the taxes of the present year.

"This arrangement, however, with individuals, if left as it should be, to their choice, would be beyond the control of the Government. The other source of issue, namely, that by the Government, is the one which is under its complete control. It is the restraint of this alone which will enable it to prevent a new redundancy of circulating medium. It therefore becomes an inquiry of vital importance, to ascertain how far this restraint can be carried. Obviously, it depends upon the extent and availability of the other means furnished by Congress for supplying the demands of the Government.

"The means which have been already provided by Congress (over and above the issue of new treasury notes) are three, namely, the sale of \$500,000,000 of six per cent. bonds, certificates of indebtedness, and taxes."

At the end of June, Mr. Chase resigned the office of Secretary of the Treasury, and was soon afterwards made Chief Justice of the Supreme Court of Washington. Mr. Fessenden, Senator for Maine, was appointed to succeed him. At this time the public debt of the United States amounted to \$1,800,000,000, and the paper money in circulation was at a discount of about 60 per cent.

Early in July the North was startled by the news that the Confederates had resumed the offensive, and invaded Maryland. A large body of troops, under the command of General Wilson, crossed the Potomac, and pillaged the country within a very short distance of Washington. They destroyed part of the Baltimore and Ohio railway, and defeated a Federal force which attempted to arrest their progress. So close were they to Washington that the forts which defend the capital opened fire upon them, and an irregular sort of engagement took place between the Confederates and Federals, within sight of the town itself. In an account of this unwelcome apparition of the enemy, written in Washington, we are told that "the fight, which was seen by hundreds of spectators on the Seventh-street-road, was very exciting to novices. The country was well situate to see all

the firing of infantry and heavy fort artillery, while burning residences, barns, and other buildings, which had been fired by both parties to get better range of each other, lighted up the fields and woods that skirt just outside the outer line of fortifications."

After securing an immense amount of plunder in Maryland and the Shenandoah Valley, the Confederates retired, having made a most successful "raid," and given the inhabitants of the North some idea of the calamities which a hostile invasion brings upon the soil of which it is the theatre.

On the 16th of July, President Lincoln issued a proclamation calling for 500,000 soldiers, or as he styled them, "volunteers for the military service."

The position of affairs in the neighbourhood of Richmond remained almost unchanged until the end of the year. Instead of attacking Richmond General Grant was obliged to content himself with besieging Petersburg, which was held by General Beauregard, and resisted all the attempts of the Federals to make themselves masters of it. General Lee's army lay in impregnable strength between them and Richmond, and although from time to time desperate assaults were made upon it, the only result was a useless sacrifice of life, of which Grant was as prodigal as if his men were of no more value than sheep. But victory, at all hazards and at any price, was the one thing wanted at Washington, to strengthen the hands of the Administration, and increase the chances of Mr. Lincoln's re-election as President in the forthcoming electoral struggle.

One is apt to picture to oneself a city like Richmond, so long beleagured by a hostile army and isolated from the rest of the world, as suffering much privation, if not misery. But the fact seems to be very much the reverse, if we may credit an account of the city which appeared from the pen of an eye-witness writing in the month of November. He says:—

"Among all the cities of the Confederacy none can more justly lay claim to the title of metropolis than its beautiful capital. Although invested by 100,000 enemies, whose besieging guns morning, noon, and night roar out their hate—although girded around by a line of battle that may at any moment burst into flame, such is the faith reposed in those brave defenders, who have so often 'On death's scythe dashed with force that turned its edge,' that one may look in vain for sign of doubt or trepidation. Day breaks, and hungry thousands are making their way to the well-filled markets. Later the stores open their sleepy lids, and every window displays tempting goods that tell a story of busy enterprise and broken blockades. The *restaurants*, of which there are scores kept in a style of magnificent abundance, hang out their venison, birds, and turtle, and expose long shelves freighted with the choicest liquors that tempt the *bon vivant* to certain financial ruin. The hotels and boarding-houses pour forth their living

contents, and by nine o'clock Main-street and its tributaries begin to witness the grand processional movement which continues through the day. . . .

"Night comes, and the lights flash merrily from a thousand parlours, where reign peace, pleasure, and content. Hospitality abounds, and with graceful hand the good citizens dispense its rites, not more among themselves than upon the passing stranger, whose only claim may be that he is a soldier. The transient visitor has offered to him the temptations of the theatre and concert-room, while a score of hells are ready to engulf those whose baser tastes best fit them for their enjoyments. Such is Richmond."

The real interest of the war was shifted from Virginia to Tennessee and Georgia, where two great armies confronted each other, great battles were fought, and important positions were lost and won. General Sherman there commanded the Federals, and General Hood, who had superseded General Johnstone, the Confederates. The prize they long fought for was the possession of Atlanta, the capital of Georgia, which was occupied by the Confederates, and besieged by the Federals. Hood made a fierce attack upon Sherman on the 20th of July, but was driven back after a desperate struggle. The Federals gradually drew their lines closer round the city—while fighting almost constantly took place. A severely contested battle was fought on the 25th of July, in which the Confederates were again the assailants and again repulsed.

A well-meant but abortive attempt to put a stop to the war was about this time made, by some self-constituted Commissioners from the South, who opened a communication with President Lincoln. They were however asked if they were duly accredited from Richmond as the bearers of propositions for peace, and they were obliged to answer in the negative. Upon this the President wrote and transmitted to them the following letter:—

"Executive Mansion, Washington, July 18, 1864.

"To whom it may concern:—

"Any proposition which embraces the restoration of peace, the integrity of the whole Union, and the abandonment of slavery, and which comes by and with an authority that can control the armies now at war against the United States, will be received and considered by the Executive Government of the United States, and will be met by liberal terms on substantial and collateral points, and the bearer or bearers thereof shall have safe conduct both ways.

"ABRAHAM LINCOLN."

At the end of July General Grant made a general assault on Petersburg with his whole force, and in order to favour the attack he exploded a mine which had been secretly prepared under one



of the advanced earthworks of the Confederates, and from which great results had been expected. The earthwork was blown into the air, and the soldiers who occupied it, but when the Federals attempted to push forward beyond the ruins they were driven back by a terrific fire from the Confederates. A reserve division of negro troops was then thrust forward and similarly repulsed; and the Confederates leaving their intrenchments charged their assailants and forced them back to the position which they had occupied previous to the assault.

A naval expedition under the command of Admiral Farragut was organized against Mobile, before which he appeared in the beginning of August. Fort Powell on Dauphin Island was evacuated and destroyed by the Confederates on the night of the 5th, and a few days afterwards Fort Gaines was surrendered by Colonel Anderson, against whom there were loud complaints of treachery—for he had been ordered to defend it to the last—and it had been provisioned for six months with a garrison of 800 men. A Federal iron-clad vessel, called the “*Tecumseh*,” was blown up and sunk by a torpedo, and a spirited engagement took place on the 15th of August, between the Federal and Confederate fleets, in which the advantage was on the side of the Federals. A river steamer of the Confederates, called the “*Tennessee*,” converted into an iron-clad, particularly distinguished herself, and for some time sustained the combined attack of the whole Federal fleet, but was at last obliged to haul down her colours. Mobile however remained uncaptured at the end of the year; for it was strongly defended by lines of formidable earthworks on each side of the bay, and for thirty miles before the city could be reached there was a succession of torpedoes and obstructions, which rendered navigation almost impossible. It was stated indeed that an iron-clad vessel had been sunk directly in the Channel, so as effectually to bar the passage. The following account of the position of the defences of Mobile will enable the reader to understand the difficulties which the Federals had to encounter:—

Forts Morgan and Gaines are situated about thirty-three miles from the city, and command from opposite sides the entrance to the bay of Mobile. This entrance is about two and a half miles wide. Fort Powell commands another entrance, or rather narrow artificial pass—called Grant’s Pass—into the same bay from the Mississippi Sound. The true harbour of Mobile—locally called the Anchorage—is a few miles above these forts, under the lee of Dauphin Island, and about twenty-five miles from Mobile. Only vessels of small draught can come to the wharves of the city, which is approached by a narrow and tortuous channel, averaging nine feet of water and never exceeding eleven. The most difficult portion of this channel is at a point called Choctau Pass, about five miles distant from the city.

Atlanta at last fell in the beginning of September. Its capture was owing to a skilful strategic movement on the part of General

Sherman, who, finding that all his attempts to take the town by siege or storm failed, marched the bulk of his army by a circuitous route to the west, and then suddenly turning to the east made himself master, without much difficulty, of the line of the Macon Railway, and thus intercepted General Hood's communications. He also cut off from Atlanta a portion of the Confederate army, which was intrenched at a place called Jonesborough. Hood finding that the enemy had got possession of the line, by which alone he obtained his supplies, blew up the magazines at Atlanta, and in the night time abandoned the city, which was occupied by the Federals on the following day.

In a congratulatory address issued to his army, General Sherman thus described the operations which had led to the capture of Atlanta:—"On the 1st of May our armies were lying in garrison, seemingly quiet, from Knoxville to Huntsville, and our enemy lay behind his rocky-faced barrier at Dalton, proud, defiant, and exulting. He had had time since Christmas to recover from his discomfiture on the Mission Ridge, with his ranks filled, and a new Commander-in-Chief, second to none of the Confederacy in reputation for skill, sagacity, and extreme popularity. All at once our armies assumed life and action and appeared before Dalton; threatening Rocky Face, we threw ourselves upon Resacca, and the rebel army only escaped by the rapidity of its retreat, aided by the numerous roads with which he was familiar, and which were strange to us. Again he took post at Allatoona; but we gave him no rest, and by a circuit towards Dallas and subsequent movement to Ackworth, we gained the Allatoona Pass. Then followed the eventful battles about Kenesaw, and the escape of the enemy across the Chattahoochee river. The crossing of the Chattahoochee and breaking of the Augusta Road was most handsomely executed by us, and will be studied as an example in the art of war. At this stage of our game our enemies became dissatisfied with their old and skilful commander, and selected one more bold and rash. New tactics were adopted. Hood first boldly and rapidly, on the 20th of July, fell on our right at Peach Tree Creek, and lost. Again on the 22nd he struck our extreme left and was severely punished; and finally, again on the 28th, he repeated the attempt on our right, and that time must have been satisfied, for since that date he has remained on the defensive. We slowly and gradually drew our lines about Atlanta, feeling for the railroads which supplied the rebel army and made Atlanta a place of importance. We must concede to our enemy that he met these efforts patiently and skilfully, but at last he made the mistake we had waited for so long and sent his cavalry to our rear, far beyond the reach of recall. Instantly our cavalry was on his only remaining road, and we followed quickly with our principal army, and Atlanta fell into our possession as the fruit of well-concerted measures, backed by a brave and confident army."

On getting possession of the place, General Sherman issued an

order that the non-combatants in Atlanta should leave the town, and offered to give every facility for their removal southwards. General Hood remonstrated against this, as an unprecedented act of “studied and ingenious cruelty.” The reply of Sherman was characteristic. He said :—

“I say it is a kindness to these families of Atlanta to remove them now at once from the scenes that women and children should not be exposed to, and the ‘brave people’ should scorn to commit their wives and children to the rude barbarians who thus, as you say, violate the laws of war, as illustrated in the pages of its dark history.

“In the name of common sense I ask you not to appeal to a just God in such a sacrilegious manner—you who, in the midst of peace and prosperity, have plunged a nation into civil war, dark and cruel war, who dared and badgered us to battle, insulted our flag, seized our arsenals and forts that were left in the honourable custody of a peaceful Ordnance Sergeant; seized and made prisoners of war the very garrisons sent to protect your people against negroes and Indians. Long before any overt act was committed by the, to you, hateful Lincoln Government, you tried to force Kentucky and Missouri into the rebellion in spite of themselves; falsified the vote of Louisiana; turned loose your privateers to plunder unarmed ships; expelled union families by the thousands, burned their houses, and declared, by act of your Congress, the confiscation of all debts due to Northern men for goods had and received.

“Talk thus to marines, but not to me, who have seen these things, and who will this day make as much sacrifice for the peace and honour of the South as the best born Southerner among you.”

During the month of September some severe fighting took place in the Shenandoah Valley, where the combatants were, General Early on the Confederate, and General Sheridan on the Federal side. On the 18th Sheridan attacked Early, and forced him to retreat up the valley, with considerable loss on both sides. It is impossible to give any thing like a detailed account of the movements which followed in this part of the theatre of war, for we have no trustworthy information yet on which we can rely; but on the 19th of October an important battle was fought between the contending armies at Cedar Creek, which, although at first very unfavourable to the Federals, ended, owing to want of caution on the part of the Confederates, in a Federal victory. Cedar Creek is not far from Winchester, and here General Early made a fierce attack on the Federal forces before daylight, and drove them back four miles. The impetuosity, however, of the Confederates carried them too far, and the Federals, having rallied in a compact line of battle, in turn became the assailants, and compelled the enemy to fall back in disorder. According to the Federal account the retreat became a flight, but we are so accus-



tomed to vain-glorious boasts of Federal successes that we are not disposed to put much faith in them. General Grant, however, ordered a salute of 100 guns to be fired "in honour of Sheridan's victory," and said in a despatch, "Turning what bid fair to be a disaster into a glorious victory stamps Sheridan what I have always thought him to be, one of the ablest of generals."

General Early continued to fall back during the 20th, followed by General Sheridan, and on the 21st made a stand at Fisher's Hill, two and a half miles south of Strasburg. Sheridan attacked him in the evening, but was repulsed. Next day Sheridan renewed the attack, and after a severe conflict, which lasted until dark, he forced Early to abandon the position with the loss of several cannon.

## CHAPTER VII.

### AMERICA (*continued*).

Contest for the Presidency—General McClellan the Democratic candidate—The Chicago Convention—Letter from McClellan to his Committee—Letter of General Grant—Meetings in favour of peace—General Fremont's reasons for declining to contest the Presidency—Majority in favour of Mr. Lincoln—Ferocity with which the war was carried on—Proclamation of the Federal General Paine—Outrageous violation of neutral rights by a Federal ship-of-war in the case of the "Florida"—Consequent proceedings—Mr. Seward's despatch—Confederate manifesto to foreign Courts—Earl Russell's reply—Arrest of Confederate "raiders" in Canada—Mr. Seward's letter on the subject of British subscription for the relief of Confederate prisoners—General Sherman's march through Georgia to the coast, and capture of Savannah—Naval expedition against Wilmington—Its failure—Message of President Lincoln to the Federal Congress—Report of the Secretary of the Treasury—Public debt of the Federal States.

DURING the stagnation of military movements before Richmond the most exciting subject of interest in the autumn was the forthcoming contest for the Presidency, as Mr. Lincoln's tenure of office would expire in March, 1865—and the election of the Delegates with whom theoretically rests the choice of the new President takes place in November. The only two candidates of any real pretensions to the high office were Mr. Lincoln, who offered himself for re-election, and General McClellan. The latter was the candidate selected by what was called the Chicago Convention, who represented the Democratic party; and in the following resolutions which they adopted will be found a summary of their political principles and the reasons that influenced them in opposing Mr. Lincoln.

"That in the future, as in the past, we will adhere with unwavering fidelity to the Union under the Constitution, as the only solid foundation of our strength, security, and happiness as a

people, and as a framework of Government equally conducive to the prosperity of all the States both Northern and Southern.

“That this Convention does explicitly declare as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under pretence of military necessity or war-power higher than the Constitution, the Constitution has been disregarded in every part, and public liberty and private rights alike trodden down, and the material prosperity of the country essentially impaired,—justice, humanity, liberty, and the public welfare, demand that immediate efforts be made for a cessation of hostilities with the view to an ultimate convention of all the States, or other peaceable means, to the end that at the earliest practical moment peace may be restored on the basis of the Federal Union of all the States.

“That the direct interference of the military authority of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware, was a shameful violation of the Constitution, and the repetition of such acts will be held as revolutionary, and resisted with all the means and power under our control.

“That the aim and object of the Democratic party is to preserve the Union and the rights of the States unimpaired, and they hereby declare that they consider the administrative usurpation of extraordinary and dangerous powers not granted by the Constitution, the subversion of civil and military laws in States not in insurrection, the arbitrary military arrest, imprisonment, trial, and sentence of American citizens in States where the civil law exists in full force, the suppression of the freedom of speech and of the press, the denial of the right of asylum, the open and avowed disregard of State rights, the employment of unusual test oaths, and interference with and denial of the rights of the people to bear arms, are calculated to prevent the restoration of the Union and perpetuation of a Government deriving its just powers from the consent of the governed.

“That the shameful disregard by the Administration of its duty in respect to our fellow-citizens who now are and long have been prisoners of war in a suffering condition, deserves the severest reprobation on the score alike of public and common humanity.”

General McClellan, having been put in nomination, addressed a letter on the 8th of September to his Committee, consenting to become a candidate. He said:—

“The existence of more than one Government over the region which once owned our flag is incompatible with the peace, the power and the happiness of the people.

“The preservation of our Union was the sole avowed object for which the war was commenced. It should have been conducted for that object only, and in accordance with those principles which I took occasion to declare when in active service.

“Thus conducted, the work of reconciliation would have been

easy, and we might have reaped the benefits of our many victories on land and sea.

"The Union was originally formed for the exercise of a spirit of conciliation and compromise. To restore and preserve it the same spirit must prevail in our councils and in the hearts of the people.

"The re-establishment of the Union in all its integrity is, and must continue to be, the indispensable condition in any settlement. So soon as it is clear, or even probable, that our present adversaries are ready for peace upon the basis of the Union, we should exhaust all the resources of statesmanship practised by civilized nations, and taught by the traditions of the American people, consistent with the honour and interests of the country, to secure peace, re-establish the Union, and guarantee for the future the constitutional rights of every State. The Union is the one condition of peace. We ask no more.

"Let me add what I doubt not was, although unexpressed, the sentiment of the Convention, as it is of the people they represent, that when any one State is willing to return to the Union it should be received at once, with a full guarantee of all its constitutional rights.

"If a frank, earnest, and persistent effort to obtain those objects should fail, the responsibility for ulterior consequences will fall upon those who remain in arms against the Union. But the Union must be preserved at all hazards.

"A vast majority of our people, whether in the army and navy or at home, would, as I would, hail with unbounded joy the permanent restoration of peace on the basis of the Union under the Constitution, without the effusion of another drop of blood. But no peace can be permanent without union.

"As to the other subjects presented in the resolutions of the Convention, I need only say that I should seek in the Constitution of the United States, and the laws framed in accordance therewith, the rule of my duty and the limitations of executive power; endeavour to restore economy in public expenditure, re-establish the supremacy of law, and by the operation of a more rigorous nationality resume our commanding position among the nations of the earth."

Shortly before this, with reference to the impending contest for the Presidency, a letter from General Grant was published, which, considering the way in which he has been baffled at every point by the Confederates, is a curious specimen of either ignorance or effrontery, or both:—

"The rebels have now in their ranks their last man. The little boys and old men are guarding prisoners, guarding railroad bridges, and forming a good part of their garrisons or intrenched positions. A man lost by them cannot be replaced. They have robbed the cradle and the grave equally to get their present force. Besides what they lose in frequent skirmishes and battles they are



now losing from desertions and other causes at least one regiment per day. With this drain upon them the end is not far distant if we will only be true to ourselves. Their only hope now is in a divided North. This might give them reinforcements from Tennessee, Kentucky, Maryland, and Missouri, while it would weaken us. With the draught quietly enforced the enemy would become despondent and would make but little resistance.

“I have no doubt but the enemy are exceedingly anxious to hold out until after the Presidential election. They have many hopes from its effects. They hope a counter-revolution. They hope the election of a peace candidate. In fact, like Micawber, they hope for something to ‘turn up.’”

In the mean time there were unmistakeable signs that a reaction in public opinion in favour of peace was beginning partially to take place. Meetings were held at different places in the North, where resolutions were passed deprecating the continuance of the war. We will quote those which were adopted in the State of Delaware. The meeting there resolved:—

“That we are in favour of an armistice and a cessation of hostilities in order to terminate the terrible slaughter of our men, and to avoid the utter bankruptcy of the nation, and to prevent the erection of a military despotism on the ruins of civil liberty.

“That we are in favour of immediate peace and against the further prosecution of this war.

“That the Government of the United States has no right to coerce a sovereign State.

“That, if we cannot restore the Union by peaceable measures, we are in favour of an acknowledgment of the independence and sovereignty of the States composing the Southern Confederacy.”

A well-known New York newspaper, the *Herald*, proposed, as a means of what we may call letting off the superabundant steam that would remain when peace was restored, the expedient of foreign war. It said:—

“If any bad blood remained on either side, it would soon disappear or be purged by a foreign war. With a combined veteran army of over a million of men, and a fleet more powerful than that of any European Power, we could order France from Mexico, England from Canada, and Spain from Cuba, and enforce our orders if they were not obeyed. The American continent would then belong to Americans.”

General McClellan’s letter accepting his nomination for the Presidency caused a split in the Democratic party. The Peace section declared that he had not adopted their “platform,” that is, the line of policy sketched out by the Chicago Convention. He made the “Union” and not “Peace” his prominent object; and there was no practical difference, as they justly contended, between his views and those of Mr. Lincoln. They therefore refused to give him their support, and from that moment it was evident that he had no real chance of success.

General Fremont was at one time put in nomination, and he at first accepted the proposal, but subsequently withdrew his name as a candidate, on the ground, as he alleged, that the policy of the Democratic party signified either separation or the policy of the re-establishment of the Union with slavery. He said :—

“The Chicago platform is simply separation. General McClellan’s letter of acceptance is re-establishment with slavery. The Republican candidate, on the contrary, is pledged to the re-establishment of the Union without slavery; and, however hesitating his policy may be, the pressure of his party will, we may hope, force him to it. Between these issues, I think no man of the Liberal party can remain in doubt; and I believe I am consistent with my antecedents in withdrawing, not to aid in the triumph of Mr. Lincoln, but to do my part towards preventing the election of the Democratic candidate. In respect to Mr. Lincoln, I continue to hold exactly the sentiments contained in my letter of acceptance. I consider that his Administration has been, politically, militarily, and financially, a failure, and that its necessary continuance is a cause of regret for the country.”

The result was that a large majority of the Electoral College was returned pledged to vote for Mr. Lincoln as President in March next year, and he therefore may be considered the President of the United States for the following four years.

In our last volume we gave as a specimen of the ferocity with which the war is carried on in America some account of the proceedings of General Butler at New Orleans; and with the same object we now give a few extracts from a proclamation or order issued by a Federal General, Paine, who commanded in Western Kentucky. The mind sickens at the thought of almost irresponsible power being lodged in the hands of such men.

“The first and great commandment is that all you disloyal, rebellious people shall not circulate one dollar of capital in all this land. Not a dollar, no debt or bill of exchange can be paid or made without my signature, and I pledge you I will not approve any money transactions of a disloyal man. All his capital, all his money, every cent of it, shall be placed at the disposal of the Government. I will teach you that, having encouraged this rebellion, having comforted and aided your country’s enemies, you must, ay, shall, reap a traitor’s reward. . . .

“Talk about your rights! Why, you have no rights to talk about. A loyal citizen is the only one left with any rights at this time. And yet you come to me, asking for a banking privilege. Great God! The devil might as well ask the Almighty for a front seat in heaven. No; if in your prosperity you have despised this great and good Government, you may soon have the privilege to love it in your adversity. Not only this, but you ought, ay, you must, fight for this Government. . . .

“The second commandment is, that all you notorious rebels get out of your houses and leave my district, so that Union men and women

may come here to help me redeem this country. What do I care about your tobacco interest, the market value of your niggers or cotton? . . . .

"I shall shoot every guerilla taken in my district, and if your Southern brethren retaliate by shooting a Federal soldier, I will walk out five of your rich bankers, brokers, and cotton-men, and make you kneel down and shoot you. I will do it, so help me God! You men of such large influence will be held responsible for the peace of this district. If a Union man is murdered by these guerillas here, the same fate awaits five of you gentlemen. I have sworn it, and it shall be done.

"I am going to manage this district so that when I am done with it the men and women who remain can come together in the name of the Lord, and say that 'we belong to the United States.'"

A most flagrant outrage was committed this autumn in neutral waters by a Federal ship of war. A Confederate war steamer, named the "*Florida*," arrived in the port of Bahia, in South America, on the 5th of October, in order to repair her engines, and take in water and provisions. The American Consul demanded of the authorities that they should refuse permission to the vessel to enter the harbour; but two days were allowed for the completion of the repairs. At the time of the "*Florida's*" arrival there was also in port the Federal steam ship of war the "*Wachusett*"—and to prevent a collision, the President of the province obtained a written promise from the American Consul that the neutrality of the country should be duly respected; and that no act inconsistent with that neutrality should be committed either in the port or within the neutral waters. And for further security the "*Florida*" placed herself under the guns of the batteries, and beneath the broadside of the guard ship. Relying upon this, and never dreaming that the Federal commander would venture to commit a daring breach of international law, the captain of the "*Florida*" allowed eighty of his crew and some of the officers to leave the ship and sleep on shore, when before daybreak in the morning the "*Wachusett*" suddenly attacked the "*Florida*" and opened upon her a murderous fire. Some of the sailors threw themselves into the sea, but only four of them escaped, the rest being killed by musket shots from the enemy. The "*Florida*" after a short resistance was soon captured by her cowardly assailants, and the "*Wachusett*," taking her in tow, steamed off in a south-westerly direction. Some shots were fired without effect by a Brazilian corvette which was in the harbour, and also by the fort, and the fugitive ships were followed for some distance by three Brazilian vessels, but the "*Wachusett*" got clear off with her stolen prize.

As may easily be supposed, the event caused great excitement at Bahia, and the authorities there made a vigorous protest against such a violation of neutral rights. The Federal Consul, Colonel Webb, acknowledged that the act was wrong, but took care in his



letter to make some very offensive allusions to England. The "Florida" was taken to New York, but of course she ought to have been restored to the waters of Bahia, from which she had been illegally taken; but as she was lying at anchor in the roads, it happened by a convenient *accident* that she was run down and sunk by a Federal ship of war, so that restoration of the vessel became impossible. The Brazilian *Chargé d'Affaires* at Washington addressed a letter to Mr. Seward, on the 12th of December, in which he demanded, on behalf of his Government, "the explanations and reparation which, in conformity with international laws, are due to a Power which maintains friendly and pacific relations with the United States."

In his reply, dated the 26th of the same month, Mr. Seward said:—

"You have justly expected that the President would disavow and regret the proceedings at Bahia. He will suspend Captain Collins, and direct him to appear before a court-martial. The Consul at Bahia admits that he advised and incited the captain and was active in the proceedings. He will, therefore, be dismissed. The flag of Brazil will receive from the United States navy the honour customary in the intercourse of friendly maritime Powers. . . . .

"You will also be pleased to understand that the answer now given to your representation, rests exclusively upon the ground that the capture of the 'Florida' was an unauthorized, unlawful, and indefensible exercise of the naval force of the United States within a foreign country, in defiance of its established and duly recognized Government. This Government disallows your assumption that the insurgents of this country are a lawful naval belligerent, and, on the contrary, it maintains that the ascription of that character by the Government of Brazil to insurgent citizens of the United States, who have hitherto been, and who still are, destitute of naval forces, ports, and courts, is an act of intervention in derogation of the law of nations, and unfriendly and wrongful as it is manifestly injurious to the United States. So, also, this Government disallows your assumption that the 'Florida' belonged to the aforementioned insurgents, and maintains, on the contrary, that that vessel, like the 'Alabama,' was a pirate, belonging to no nation or lawful belligerent, and therefore, that the harbouring and supplying of these piratical ships and their crews in Brazilian ports, were wrongs and injuries for which Brazil justly owes reparation to the United States, as ample as the reparation which she now receives from them. . . . . It does not, however, belong to captains of ships of war of the United States, or to the commanders of their armies, or to their Consuls residing in foreign ports, acting without the authority of Congress, and without even executive direction, and choosing their own time, manner, and occasion, to assert the rights and redress the wrongs of the country. This power can be lawfully exercised only by the Government of

the United States. . . . The disposition of the captured crew of the 'Florida' is determined upon the principles which I have laid down. Although the crew are the enemies of the United States, and, as we contend, enemies of the human race, yet the offenders were nevertheless unlawfully brought into the custody of this Government, and therefore they could not lawfully be subjected here to the punishment which they have deserved. Nor could they, being enemies, be allowed to enjoy the protection of the United States. They will, therefore, be set at liberty, to seek a refuge wheresoever they may find it, with the hazard of a re-capture when beyond the jurisdiction of this Government. The 'Florida' was brought into American waters, and was anchored under naval surveillance and protection at Hampton Roads. While awaiting the representation of the Brazilian Government, on the 28th November, she sank, owing to a leak which could not be seasonably stopped. The leak was at first represented to have been caused, or at least increased, by collision with a war transport. Orders were immediately given to ascertain the manner and circumstances of the occurrence. It seemed to affect the army and the navy. A naval court of inquiry and also a military court of inquiry were charged with the investigation. The naval court has submitted its report, and a copy thereof is herewith communicated. The military court is yet engaged. So soon as its labours shall have ended, the result will be made known to your Government. In the mean time it is assumed that the loss of the 'Florida' was a consequence of some unforeseen accident, which cast no responsibility upon the United States."

A Manifesto was issued in the month of October, by the Confederate Congress, for the purpose of being addressed to foreign Courts. In it they stated, that "all they ask is immunity from interference with their internal peace and prosperity, and to be left in the undisturbed enjoyment of their inalienable rights of life, liberty, and the pursuit of happiness, which their common ancestry declared to be the equal heritage of all parties to the social compact. Let them forbear aggressions upon us, and the war is at an end. If there be questions which require adjustment by negotiations, they have ever been willing, and are still willing, to enter into communication with their adversaries in a spirit of equity and manly frankness, and commit their cause to the enlightened judgment of the world, to the sober reflection of their adversaries themselves, and to the solemn and righteous arbitrament of heaven."

This Manifesto was transmitted to the different Cabinets of Europe, by Messrs. Slidell, Mason, and Dudley Mann, the Confederate Commissioners in Europe; and they received an answer from Earl Russell, which by a curious infelicity was so worded as to give offence to both Federals and Confederates. His letter was dated, November 25, and was in the following terms:—

"Gentlemen,—I have had the honour to receive the copy which

you have sent me of the Manifesto issued by the Congress of the so-called Confederate States of America.

"Her Majesty's Government deeply lament the protracted nature of the struggle between the Northern and Southern States of the formerly United Republic of America.

"Great Britain has since 1783 remained, with the exception of a short period, connected by friendly relations with both the Northern and Southern States. Since the commencement of the Civil War, which broke out in 1861, Her Majesty's Government have continued to entertain sentiments of friendship equally for the North and for the South. Of the causes of the rupture Her Majesty's Government have never presumed to judge; they deplore the commencement of this sanguinary struggle, and anxiously look forward to the period of its termination. In the mean time they are convinced that they best consult the interests of peace, and respect the rights of all parties, by observing a strict and impartial neutrality. Such a neutrality Her Majesty has faithfully maintained, and will continue to maintain."

An event occurred at the latter end of the year which illustrates the risk to which we are exposed by the possession of Canada, of a rupture with the North.

Numbers of Confederate subjects, or sympathizers, were assembled in Canada, and they made hostile excursions across the border into the State of New York, doing all the mischief to the inhabitants and their property. On one occasion they attacked the town of St. Alban's, plundered the houses, and killed some of the population. The extradition of these raiders was demanded, and some of them were arrested and brought before the Court at Montreal. Here however they were discharged, on the ground that the warrant for their arrest was not under the hand of the Governor General of Canada, as the Imperial Act required in such cases. This we believe was a mistake in point of law, and the decision gave great offence to the North, where violent language against England was of course the consequence. Major-General Dix, who had the military command of the State of New York, went so far as to issue an order, in which he said:—

"All military commanders on the frontiers are instructed, in case further acts of depredation and murder are attempted, whether by marauders or persons acting under commissions from the rebel authorities at Richmond, to shoot down the perpetrators if possible while in the commission of their crimes; or if it be necessary with a view to their capture to cross the boundary between the United States and Canada, the said commanders are hereby directed to pursue them wherever they may take refuge, and if captured, they are, under no circumstances, to be surrendered, but are to be sent to these head-quarters for trial and punishment by martial law."

If this order had been carried out the result inevitably must have been war between Great Britain and the United States; but



the Federal Government disavowed General Dix's ill-advised act, and vigorous steps were taken by the Canadian authorities to prevent a repetition of the illegal violence which has so justly irritated the Americans.

The following incident will show the perverted view which the Federal Government takes of the conduct of Great Britain during the struggle that is going on in America, and is, we fear, an indication of the deep-rooted resentment which is felt in the North; first, because we have recognized the Confederates, not as rebels, but as a belligerent power; secondly, because ships built in this country have been converted into Confederate cruisers; and, thirdly, because British subjects have been actively engaged, and with considerable success, in what is called "running the blockade" on the Southern coast.

A subscription was got up in this country, to the amount of 17,000*l.*, for the purpose of being distributed for the relief of Confederate prisoners in the Federal fortresses and jails. Lord Wharncliffe was the chairman of the Committee, and he applied to the United States Minister in London, Mr. Adams, on the subject, who communicated with Mr. Seward, the American Secretary of State, and received from him an answer, dated Washington, December 5, and couched in the following terms:—

"You will now inform Lord Wharncliffe that permission for an agent of the committee described by him, to visit the insurgents detained in the military prisons of the United States, and to distribute among them 17,000*l.* of British gold, is disallowed. Here it is expected that your correspondence with Lord Wharncliffe will end.

"That correspondence will necessarily become public. On reading it the American public will be well aware that while the United States have ample means for the support of the prisoners, as well as for every other exigency of the war in which they are engaged, the insurgents, who have blindly rushed into that condition, are suffering no privations that appeal for relief to charity, either at home or abroad. The American people will be likely to reflect that the sum thus insidiously headed in the name of humanity constitutes no large portion of the profits which its contributors may be justly supposed to have derived from the insurgents, by exchanging with them arms and munitions of war, for the productions of immoral and enervating slave labour, nor will any portion of the American people be disposed to regard the sum thus ostentatiously offered for the relief of captured insurgents as a too generous equivalent for the devastation and desolation which a civil war, promoted and protracted by British subjects, has spread throughout the States, which before were eminently prosperous and happy. Finally, in view of this last officious intervention in our domestic affairs, the American people can hardly fail to recall the warning of the father of our country, directed against two great and intimately connected public dangers, namely,

sectional faction and foreign intrigue. I do not think that the insurgents have become debased, although they have sadly wandered from the ways of loyalty and patriotism. I think that in common with all our countrymen, they will rejoice in being saved by their considerate and loyal Government from the grave insult which Lord Wharnccliffe and his associates, in their zeal for the overthrow of the United States, have prepared for the victims of this unnatural and hopeless rebellion."

Although Atlanta had fallen into the possession of the Federals they were not able to hold it long. General Hood in strong force occupied General Sherman's line of communications, and it was impossible to subsist in Atlanta without supplies. Sherman therefore had one of two courses to adopt. Either he must attack Hood and defeat him, or endeavour to force his way to the sea and so make his escape. He resolved upon the latter plan, and veiling the real reason of his movements under the pretence that he was advancing to fresh victories in the South-east, and intended to capture the towns of Macon, Augusta, and Savannah, he abandoned Atlanta on the 13th of November, and set out on a long and perilous march through North Georgia, in the midst of a hostile population with Hood in his rear, and directed his steps towards the Savannah river. As Hood advanced he came into collision with the Federals, under the immediate command of General Schofield, at Franklin, in Tennessee. As usual the North claimed a victory, but the result was that Schofield was obliged to retreat to Nashville, closely followed by Hood.

General Sherman had left General Thomas with 20,000 or 30,000 men to confront Hood in Tennessee, and a severe battle was fought between these two generals in front of Nashville, in which the Federals were successful, and drove back the Confederates three or four miles. In the result Hood felt himself compelled to retire from Tennessee, to the great dissatisfaction of the South.

The distance from Atlanta to Savannah is ninety-three miles, and General Sherman accomplished the march in twenty-three days. Two railways run from that town in an easterly direction towards the Savannah river: one of them, called the Georgia Railroad, proceeds due east to the town of Augusta; the other, called the Georgia Central, runs first south and south-east till it reaches Macon, and then turning east, follows a line parallel to the Georgia Railway straight on to Savannah. Between these two lines there is a junction, at a short distance from their eastern termini, by a line running south from Augusta on the Georgia line, and striking the Georgia Central at a town called Millen. There is no other junction between them, but a second cross-line with this object has been commenced at Gordon, about twenty-five miles east of Macon on the Georgia Central, from which point a line runs north through Milledgeville, the State capital, to Eatonton, distant only some twenty or thirty miles from the Georgia line.

General Sherman divided his army into two columns, the right under his own command, taking the route along the Georgia Central Railway, and the left under General Slocum, following the line of the Georgia Railway. They were to meet at Milledgeville, and then march together in an united body to Millen, distant about eighty miles from Savannah.

General Sherman's object was to make the Confederates believe that he intended to attack Macon, and they accordingly placed themselves in a position to defend that town. But when he had arrived within twenty-five miles of Macon, he suddenly turned to the north, left Macon behind him, and, crossing the Ocmulgee river, which runs parallel to the Savannah river, he reached the Georgia Central Railway again, at a point not far from Milledgeville. On the 22nd of November the two columns joined each other at that town, which is situated on the Oconee river. The whole army then marched to Millen, which it reached in eight days, and after a delay of two days more, during which the Confederates were kept in suspense as to whether Augusta, where there was a large gunpowder manufactory, or Savannah was the immediate object of attack, General Sherman advanced rapidly upon Savannah. Following the course of the Ogeechee river, he approached the town, and took by assault Fort McAllister, which lies on the Ogeechee river, sixteen miles to the south of Savannah. He was thus able to open communications with the Federal fleet off Savannah, under the command of Admiral Dahlgren, and so far his march had been successful, as he had reached the sea with his forces almost intact (he estimated his total loss on the march at only 1000 men), and was in a position to besiege Savannah. He then summoned General Hardee, who commanded the garrison, to surrender, threatening, that if he did not, the Federals "would take no prisoners." This Hardee refused to do, but finding that his force, which consisted of only 15,000 men, was too small to defend the place against the 40,000 or 50,000 troops of the enemy, he silently withdrew his whole garrison in the night-time from the town, after first spiking the guns, and destroying two Confederate iron-clad vessels in the harbour. He crossed the river over the causeway to the north side of the city, and finally escaped. General Sherman then entered Savannah, and took possession of it, together with 150 cannon, a large quantity of ammunition, and 25,000 bales of cotton. The joy throughout the North at the success was jubilant and excessive; and beyond all doubt it was a heavy blow to the Confederate cause—not only as affording the enemy a new base of operations in connexion with the sea on the South, but also on account of the loss of *prestige* which the Confederate commanders sustained by the mode in which General Sherman had been able to out-manceuvre and baffle them. But we do not, for a moment, believe that the capture of Savannah will have any serious effect on the issue of the war,—even if the Federals are able to keep their prize.



A great naval expedition was organized by the North at the latter end of the year, under the command of Admiral Porter, the destination of which, until it sailed, was kept a profound secret.

The fleet left Hampton Roads on the 15th of December, and it then became known that the object of attack was Wilmington, which since the commencement of the siege of Charleston by the Federals has been the chief, if not the only port where the blockade-runners have been able to land their cargoes. The entrance to the harbour was guarded by Fort Fisher, and this was first attacked. The bombardment commenced on the 24th of December, and a tremendous fire was kept up, to which the fort replied slowly and deliberately. A large vessel was filled with gunpowder, and moored close to the fort. It was then set on fire, and exploded with a tremendous noise. But when the smoke cleared away, the fort was discovered to be absolutely unharmed. A body of 3000 Federal troops, under the command of General Weitzel, was landed, and under cover of the fire from the fleet they advanced and captured two outlying batteries, but finding the assault of the fort impracticable, they retired and were re-embarked the same evening.

General Butler then made another attempt, which failed. He reported to Admiral Porter that the assault was impossible, and that nothing but a regular siege could capture the work. He therefore quitted Wilmington with the troops, and returned to Hampton Roads, much to the dissatisfaction of the Admiral, who thought that an assault was practicable. He continued for a short time to bombard Fort Fisher with the fire from his ships, but at last sailed away, and the fort was not taken at the end of the year.

The message of President Lincoln was delivered to Congress on the 6th of December, and the following are the passages of chief interest. It will be observed that Mexico was not recognized as a new Empire, and the terms in which it was alluded to were not likely to be satisfactory either to its Government or to France:—

“Fellow-Citizens of the Senate and House of Representatives,—

“Again the blessings of health and an abundant harvest claim our profoundest gratitude to Almighty God.

“The condition of our foreign affairs is reasonably satisfactory. Mexico continues to be a theatre of civil war, while our political relations with that country have undergone no change. We have at the same time maintained neutrality between the belligerents. . . .

“The ports of Norfolk, Fernandina, and Pensacola have been opened by proclamation. It is hoped that foreign merchants will now consider whether it is not safer and more profitable to themselves, as well as just to the United States, to resort to these and other open ports, than it is to pursue through many hazards and at vast cost a contraband trade with other ports which were closed, if not by actual military occupation, at least by a lawful and effectual blockade.

“For myself, I have no doubt of the power and duty of the Executive, under the law of nations, to exclude enemies of the human race from an asylum in the United States. If Congress should think that proceedings in such cases lack the authority of law, or ought to be further regulated by it, I recommend that provision be made for effectually preventing foreign slave-traders from acquiring domicile and facilities for their criminal occupation in our country.

“It is possible that if it were a new and open question, the maritime Powers, with the light they now enjoy, would not concede the privileges of a naval belligerent to the insurgents of the United States, destitute as they are, and always have been, equally of ships of war and of ports and harbours.

“Disloyal emissaries have been neither less assiduous nor more successful during the last year than they were before that time in their efforts, under favour of that privilege, to embroil our country in foreign wars. The desire and determination of the Government of the maritime States to defeat that design are believed to be as sincere, and cannot be more earnest, than our own. Nevertheless, unforeseen political difficulties have arisen, especially in Brazilian and British ports, and on the northern boundary of the United States, which have required, and are likely to continue to require, the practice of constant vigilance, and a just and conciliatory spirit on the part of the United States, as well as of the nations concerned and their Governments.

“Commissioners have been appointed, under the Treaty with Great Britain, on the adjustment of the claims of the Hudson Bay and Puget Sound Agricultural Companies in Oregon, and are now proceeding to the execution of the trust assigned to them.

“In view of the insecurity of life and property in the region adjacent to the Canadian border, by reason of assaults of desperadoes, committed by inimical and desperate persons who are harboured there, it has been thought proper to give notice that after the expiration of six months, the period constitutionally stipulated in existing arrangements with Great Britain, the United States must hold themselves at liberty to increase their naval armament on the lakes if they shall find that proceeding necessary, and the condition of the border will necessarily come into consideration in connexion with the question of continuing or modifying the rights of transit from Canada through the United States, as well as the regulation of imports, which were temporarily established by the Reciprocity Treaty of the 5th of June, 1854. I desire, however, to be understood, while making this statement, that the colonial authorities of Canada are not deemed to be internationally unjust or unfriendly towards the United States, but, on the contrary, there is every reason to expect that, with the approval of the Imperial Government, they will take the necessary measures to prevent new incursions across the border.

“The public debt on the 1st day of July last, as appeared by the

books of the Treasury, amounted to \$1,740,690,489 49c. Probably, should the war continue for another year, that amount may be increased by not far from five hundred millions. Held as it is for the most part by our own people—a substantial branch of national, though private property,—for obvious reasons the more equally this property can be distributed among all the people the better. To favour such general distribution greater inducements to become owners might, perhaps, with good effect, and without injury, be presented to persons of limited means.

“With this view I suggest whether it might not be both competent and expedient for Congress to provide that a limited amount of some future issue of public securities might be held, by any *bonâ fide* purchaser, exempt from taxation and from seizure for debt, under such restrictions and limitations as might be necessary to guard against abuse of so important a privilege.

“This would enable every prudent person to set aside a small annuity against a possible day of want. Privileges like these would render the possession of such securities, to the amount limited, most desirable to every person of small means who might be able to save enough for this purpose.

“The great advantage of citizens being creditors as well as debtors with relation to the public debt is obvious. Men readily perceive they cannot be much oppressed by a debt which they owe to themselves.

“The public debt on the 1st of July last, although somewhat exceeding the estimate of the Secretary of the Treasury made to Congress at the commencement of the last Session of Congress, falls short of the estimate of that officer, made in the preceding December, as to its probable amount at the beginning of this year, by the sum of \$399,509,731. This fact exhibits a satisfactory condition and conduct of the operations of the Treasury. . . .

“The war continues. Since the last annual Message all the important lines and positions then occupied by our forces have been maintained, and our armies have steadily advanced, thus liberating the regions left in the rear, so that Missouri, Kentucky, Tennessee, and parts of other States have again produced reasonably fair crops.

“The most remarkable feature in the military operations of the year is General Sherman’s attempted march of 300 miles directly through the insurgent region. It tends to show a great increase of our relative strength that our General-in-Chief should feel able to confront and hold in check every active force of the enemy, and yet to detach a well-appointed large army to move on such an expedition. The result not yet being known, conjecture in regard to it is not here indulged.

“Important movements have also occurred during the year to the effect of moulding society for durability in the Union. Although short of complete success it is much in the right direction that 12,000 citizens in each of the States of Arkansas and Louisiana



have organized loyal State Governments with free Constitutions, and are earnestly struggling to maintain and administer them. The movement in the same direction, more extensive, though less definite, in Missouri, Kentucky, and Tennessee should not be overlooked.

"But Maryland presents the example of complete success. Maryland is secure to liberty and union for all the future. The genius of rebellion will no more claim Maryland. Like another foul spirit, being driven out, it may seek to tear her, but it will woo her no more.

"At the last Session of Congress, a proposed amendment of the Constitution abolishing slavery throughout the United States, passed the Senate, but failed for lack of the requisite two-thirds vote in the House of Representatives. Although the present is the same Congress, and nearly the same members, and without questioning the wisdom or patriotism of those who stood in opposition, I venture to recommend the reconsideration and passage of the measure at the present Session.

"Of course, the abstract question is not changed, but an intervening election shows almost certainly that the next Congress will pass the measure. Thence there is only the question of time as to when the proposed amendment will go to the States for their action, and as it is to so go, at all events, may we not agree that the sooner the better? It is not claimed that the election has imposed a duty on members to change their views or their votes any further than as an additional element to be considered. Their judgment may be affected by it. It is the voice of the people, now for the first time heard upon the question. In a great national crisis like this, unanimity of action among those seeking a common end is very desirable and almost indispensable, and yet no approach to such unanimity is attainable unless some deference shall be paid to the will of the majority, simply because it is the will of the majority. In this case the common end is the maintenance of the Union, and among the means to secure that end, such will, through the election, is most clearly declared in favour of such constitutional amendment. The most readable indication of public purpose in this country is derived through our popular elections. Judging by the recent canvass and its results, the purpose of the people within the loyal States to maintain the integrity of the Union was never more strong, nor more clearly unanimous than now. The extraordinary calmness and good order with which the millions of voters met and mingled at the polls gave strong assurance of this. Not only those who supported the Union ticket, so called, but a great majority of the opposing party, may be fairly claimed to entertain and to be actuated by the same purpose. It is an unanswerable argument to this effect that no candidate for any office whatever, high or low, has ventured to seek votes on the avowal that he was for giving up the Union.

"There has been much impugning of motives and much heated

controversy as to the proper means and best mode of advancing the Union cause. But in the distinct issue of Union or no Union the politicians have shown their instinctive knowledge that there is no diversity among the people.

"In affording to the people the fair opportunity of showing one to another, and to the world, this firmness and unanimity of purpose, the election has been of vast value to the national cause.

"The election has exhibited another fact not less valuable to be known—the fact that we do not approach exhaustion in the most important branch of national resources—that of living men. While it is melancholy to reflect that the war has filled so many graves and caused mourning to so many hearts, it is some relief to know that, compared with the survivors, the fallen have been so few. While corps and divisions and brigades and regiments have formed and fought and dwindled and gone out of existence, a great majority of the men who composed them are still living. The same is true of the naval service. The election returns prove this. So many voters could not else be found.

"The States regularly holding elections both now and four years ago—to wit, California, Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin—cast 3,982,017 votes now against 3,070,222 cast then, showing an aggregate now of 3,982,011, to which is to be added 33,762 cast now in the new States of Kansas and Nevada, which States did not vote in 1860, thus swelling the aggregate to 4,015,773, and the net increase during the three years and a half of war of 145,751. A table is appended showing particulars.

"To this should be added the number of all soldiers in the field from Massachusetts, Rhode Island, New Jersey, Delaware, Indiana, Illinois, and California, who, by the laws of these States, could not vote away from their homes, and which number cannot be less than 100,000.

"Nor yet is this all. The number in the organized Territories is triple now what it was four years ago, while thousands, white and black, join us as the national arms press back the insurgent lines.

"So much is shown affirmatively and negatively by the election. It is not material to inquire how the increase has been produced, or to show that it would have been greater but for the war, which is probably true. The important fact remains demonstrated that we have more men now than we had when the war began; that we are not exhausted nor in process of exhaustion; that we are gaining strength, and may, if need be, maintain the contest indefinitely.

"This as to men. Material resources are now more complete and abundant than ever. The national resources then are unexhausted, and, as we believe, inexhaustible. The public purpose to

re-establish and maintain the national authority is unchanged, and is, we believe, unchangeable. The manner of continuing the effort remains to be chosen.

“On careful consideration of all the evidence accessible, it seems to me that no attempt at negotiation with the insurgent leader could result in any good. He would accept nothing short of the severance of the Union—precisely what we cannot and will not give.

“His declarations to this effect are explicit and oft repeated. He does not attempt to deceive us. He affords us no excuse to deceive ourselves. He cannot voluntarily re-accept the Union; we cannot voluntarily yield it.

“Between him and us the issue is distinct, simple, and inflexible. It is an issue which can only be tried by war, and decided by victory. If we yield, we are beaten; if the Southern people fail him, he is beaten.

“Either way it would be the victory and defeat following war. What is true, however, of him who heads the insurgent cause is not necessarily true of those who follow. Although he cannot re-accept the Union, they can.

“Some of them, we know, already desire peace and re-union. The number of such may increase. They can at any moment have peace, simply by laying down their arms and submitting to the national authority under the Constitution.

“After so much the Government cannot, if it would, maintain war against them. The loyal people would not sustain or allow it. If questions should remain, we would adjust them by the peaceful means of legislation, conference, courts, and votes, operating only in constitutional and lawful channels. Some certain and other possible questions are and would be beyond the Executive power to adjust; as, for instance, the admission of members into Congress, and whatever might require the appropriation of money. The Executive power itself would be greatly diminished by the cessation of actual war. Pardons and remissions of forfeiture, however, would still be within Executive control. In what spirit and temper this control would be exercised can be fairly judged of by the past.

“A year ago a general pardon and amnesty, upon specified terms, were offered to all except certain designated classes, and it was, at the same time, made known that the excepted classes were still within the contemplation of special clemency. During the year many availed themselves of the general provision, and many more would, only that the signs of bad faith in some led to such precautionary measures as rendered the practical process less easy and certain.

“During the same time, also, special pardons have been granted to individuals of the excepted class, and no voluntary application has been denied; thus practically the door has been, for a full year, open to all except such as were not in a condition to make a



free choice—that is, such as were in custody or under constraint.

“It is still open to all, but the time may come, probably will come, when public duty shall demand that it be closed, and that it be more rigorous than heretofore.

“In presenting the abandonment of arms to the national authority, on the part of the insurgents, as the only indispensable condition to ending the war on the part of Government, I retract nothing heretofore said. As to slavery, I repeat the declaration made a year ago, and that while I remain in my present position I shall not attempt to retract or modify the Emancipation Proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation or by any of the Acts of Congress.

“If the people should, by whatever mode or means, make it an Executive duty to re-enslave such persons, another, not I, must be their instrument to propose it.

“In stating a single condition of peace, I mean simply to say that the war will cease on the part of the Government whenever it shall have ceased on the part of those who began it.

“ABRAHAM LINCOLN.”

The Secretary of the Treasury, in his report, estimated the receipts for the fiscal year at \$396,000,000, of which \$300,000,000 were from internal revenue, and the expenditures at \$1,168,256,005, of which there was for the War Department, \$531,753,191; for the Navy Department, \$112,219,666; for interest on the public debt, \$127,000,000; and the balance of former unexpended appropriations, \$350,000,000. This latter amount was estimated as likely to remain unexpended at the close of the year, reducing the total to \$818,256,005. Deducting therefrom the estimated receipts, \$422,256,005 remained to be provided for by loans. The debt at the close of the fiscal year was estimated at \$2,645,320,682.

On changing dollars into pounds sterling the following is the result:—On the 31st of July this year the public debt was 348,000,000*l*. The receipts from the customs amounted to 20,400,000*l*.; the internal revenue to 21,900,000*l*.; and the receipts from miscellaneous sources, including a small sum from land sales, and another from direct taxation, to 9,714,800*l*.; the proceeds from loans amounted to 124,000,000*l*. The *daily* expenditure was going on at the rate of half-a-million; and the interest of the public debt, with the expenses to be provided for in the next twelve months ending in July, 1865, will amount to 233,600,000*l*. The Secretary of the Treasury estimated that the public debt at that period will be 529,000,000*l*.

# RETROSPECT

OF

## LITERATURE, ART, AND SCIENCE, IN 1864.

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IT is not easy to ascertain the exact number of new works actually produced in England during the year. A publication entitled "The English Catalogue of Books," consists of about 62 pages, and in each page it records the publication of about 77 books. We seem, therefore, at first sight, to have a total of about 4774 books published during the year; but this estimate is open to many corrections. The catalogue contains, in addition to books published in Great Britain and Ireland, the principal American books of the year; besides which, it gives new editions as well as original works. On the other hand, we frequently find a series of tales or the like, printed in a double column, so that if we were making a statistical table, it would be necessary to allow a larger number for some pages than for others. In some instances the yearly or half-yearly volumes of magazines are included, in others they are omitted; and some pamphlets appear to be left out, while the publication of others is recorded. In one instance we find a publication included which we have before us, and which bears on its title-page the date 1855. Taking all these circumstances into consideration, we scarcely think it necessary to go into a closer analysis of this little book; but we have no doubt that with methodical arrangement, and with a classified *précis* of contents, it would be very useful, not only to the trade, but also to the literary world and to general readers.

We now proceed to give a compendious summary of the principal works of the year, and in judging of their relative importance, we shall rely, as before, not so much on ourselves as on others. We shall endeavour to delineate the literary, artistic, and scientific features of the year, by the citation of contemporary authorities; and although we may occasionally summarize in our own words the opinions of the public or the critics, our main object will be to stereotype those opinions, and thus to record the production of the most interesting works, side by side with the verdict which has been passed upon them by the best judges.

The most important historical work of the year, or perhaps we should rather say the work which has excited the most immediate interest, is Mr. Kaye's "History of the Sepoy War in India, 1857-8." The time seems to have arrived when people can discuss the painful subject of the Indian Mutiny calmly, whereas for some years it seemed almost a forbidden topic. So many of our countrymen had suffered from the effects of the terrible outbreak, that it was held imprudent to mention it in ordinary conversation, for fear of rudely tearing open some ill-closed wound. Mr. Kaye is understood to have been gathering his materials for a long time; and by waiting patiently till seven years after the termination of the struggle, he has at once shown respect for private feelings and given himself the best chance of securing complete and accurate information. Mr. Kaye was originally an officer in the Company's service; and a residence of many years in India, first in a military and afterwards in a civil capacity, has given him qualifications for the task which no man of merely European experience (at least, such is the universal opinion of Anglo-Indians) could possibly possess. At the same time his present position in England, in an important official post (of which the duties must nevertheless leave him a certain amount of learned ease), gives him an excellent vantage-ground, and recommends his labours to the public attention. Moreover, he has this advantage over many persons high in office, that he owes his advancement to his own personal exertion and vigour of mind, and not to adventitious circumstances of birth and fortune. It is not surprising, then, that his work on a subject so interesting to the English nation should have been anticipated with impatience and read with avidity. The feeling has been this, that other histories can be read at any time, but that the present is the time for a history of the Mutiny. The volume now published is only introductory, but it is important, as giving a full history of the Sepoy army, and a summary of the state and circumstances of our Indian Empire at the time of the outbreak. Mr. Kaye's own opinions as to the immediate cause of the Mutiny are well epitomized in the "Athenæum":—

"Unfortunately, in 1856, a long series of misgovernments, resulting in a state of anarchy, oppression, and misrule, rendered it, in the opinion of the British authorities, absolutely necessary to annex the kingdom of Oudh. To Sir James Outram, a man of similar ideas to Sleeman and Lawrence, was left the task of carrying it out. His ungrateful task was executed with mingled firmness and humanity, but the bad angel of our rule interposed. After a few months' tenure of office, Outram was compelled by sickness to follow Lord Dalhousie to England. His *locum tenens*, Mr. Coverley Jackson, was a man of a very different description. Clever and experienced, he did not bring to his work that chivalrous regard for vested interests and the native aristocracy which had distinguished his predecessor. He had, likewise, a contentious temper, and wasted, in quarrels with subordinates possessed of equal infirmities, the energies which should have been devoted to overcoming the difficulties of a transition state. The effect of the annexation, and the circumstances under which it was carried into operation, was most disastrous. The intention was good, but the manner bad, and the result worse. Among the natives it seemed as if no loyalty could protect them from what they regarded as unmitigated spoliation; and then, for the first time, did the princes of India listen to the overtures of the Nana. On our soldiery the effect was most mischievous. A large portion of our native army was recruited from Oudh, and the discontent of the inhabitants could not but be shared in by them. They had, also, a peculiar grievance of their own. Litigation is the favourite pursuit of the natives of India, and the Sepoys were interested in many of the lawsuits which



were daily going on in Oudh. Under the old system, any Sepoy who had a cause pending, or could claim an interest in one through his relations, possessed the right of petitioning, through his commanding officer, the Resident of Lucknow. The weight of British influence always secured him justice, sometimes more than justice. His highly-prized privilege now disappeared. Moreover, the Sepoy formerly, on visiting his native village in Oudh, had been looked on as a great man, the representative of the paramount power. Annexation destroyed this social superiority. To these causes of danger may be added the swarms of disbanded soldiers from the army of the deposed King, who, unchecked by a powerful British force, inundated the province. But not to mere political measures must the rebellion be attributed. Our administration, not in Oudh only, but throughout India, had produced an amount of general discontent extending far beyond those immediately affected by annexation. The mistakes committed by us in this direction are ably treated by Mr. Kaye. The fundamental error seems to have been the systematic depression of the native aristocracy. By so doing we virtually separated ourselves from the mass of the people; we destroyed a class interested in the stability of the existing order of things, broke down a bulwark against popular movements, cut off all means of communication with a majority of our subjects, and precluded any thing approaching to sympathy between governors and governed. We levelled every breakwater, and then were surprised at the force of the revolutionary wave. In short, no republican could have been more democratic than conservative England.

“Mr. Kaye is of opinion that if our misdeeds caused us injury, our efforts to ameliorate the social and moral condition of our subjects were still more hurtful to us. The spread of education, the countenance given to it by Government, and the introduction of railways and electric telegraphs, undermined the influence of the Brahmins—that influence being entirely founded on ignorance—and rendered the most powerful and energetic portion of the Hindoo population our irreconcilable enemies. Female education, the law which enabled converts to inherit, the permission to widows to re-marry, and the threatened assault on polygamy, likewise stirred up great hatred against the white reformers. The introduction of the system of messing in our jails gave the Brahmins a handle for asserting that our whole policy tended to the destruction of caste. It is true that the prisoners messed together *by* castes, but then if their cook was of an inferior caste (and what security was there against the misfortune?) the consequences would be dreadful,—at least so argued the natives.”

The “Reader” thus expresses itself as to the manner in which the work is executed:—

“The ‘Chupattee’ and ‘Lotah’ movement, the growing disaffection caused by the greased cartridges and the flour declared to be bone-dust, and the outbreaks at Berhampore, Barrackpore, and in Oude, are well described in the latter part of the volume, which brings us down to the eve of the terrible 10th of May, when the rising at Meerut set the north-west in a flame. We have already expressed our appreciation of the admirable arrangement of the material, which could not have been better treated up to this point. The next volume will record more exciting events, and will probably interest a wider circle of readers; but it can scarcely have the same value as the present one, and should not be read except by its light.”

It is, of course, impossible to pronounce any decided opinion of a work which has only just commenced; but the passage last quoted shows the high value that critics attach to the thoughtful essay which forms the first volume. That disputes and differences of opinion will arise as the work goes on is very

probable; but it may be stated without hesitation that Mr. Kaye's history has been favourably received up to this time, and is considered to show much talent and industry, and a conscientious determination not to overlook any available sources of information.

The eleventh volume of the Duke of Wellington's "Supplementary Despatches, Correspondence, and Memoranda" is a curious medley of heterogeneous documents. It is historically useful, however, as affording abundant evidence of the principles on which the Duke acted during the military occupation of France, when he was made by common consent Commander-in-Chief of the Allied Armies. The moderation of the Allies, who, after Waterloo, had France at their mercy, is what surprises the reader most in the history of this period:—

"A few days after the battle of Waterloo, their armies covered the soil of France in unprecedented multitudes, amounting at length in the aggregate to no less than 1,140,000 men. Thus was France bound as with an iron chain; and it only depended on the Sovereigns, if they had pleased, to destroy for ever her power of disturbing the peace of the world."

The Duke, in his personal dealings with the French, seems to have been guided by a similar spirit of justice and clemency even in the smallest matters:—

"His more direct acts as Commander-in-Chief showed the utmost consideration and delicacy. It is singular to see the great mind of the conqueror stooping to look into every little grievance, and making the most minute regulations to spare in every way the feelings of the conquered." "When certain commissariat officers had taken possession of some buildings in an informal way, he left them entirely to the mercy of the owners, and ordered that they should pay every farthing of damage that might be alleged." "When some French officers at Cambrai assaulted two unoffending Englishmen, he ordered that the circumstance should not be passed over, but he was able to remind the Government that he had recently given up two English officers to be tried according to the laws of France. In a case where an English officer gave annoyance to an actor at a theatre, which resulted in a pugilistic encounter, a court-martial was of opinion that the officer should be acquitted because he had not struck the first blow. The Duke sent back the proceedings for revision, objecting not only because fists had been used, but because he considered the man who gave the insult to be the real offender. He had previously declared that he would rather resign his own high position than allow the matter to pass over without proper investigation."

The volume contains a good many letters from well-known persons—as Davoust, Dumouriez, Fouché, Pozzo di Borgo, &c., so that it has a certain amount of interest for the general reader, notwithstanding the somewhat miscellaneous nature of its contents.

The third and fourth volumes of Sir Francis Palgrave's "History of Normandy and of England" have been published under the auspices of his son. The second volume, which was published many years ago, contained the lives of seven of the earlier Norman Dukes. The posthumous volumes serve to bridge over the interval of time which includes the important historical fact of the foundation of a Norman monarchy in England, and the fourth volume brings us down to the accession of Henry I. As Deputy Keeper of the Records, Sir Francis Palgrave had opportunities, which the general body of literary men did not possess until lately, of inspecting documents which have lain hidden for centuries; and it is much to be regretted that he was prevented, by his death in 1861, from completing his projected book. We have not much faith in continuations by heirs and executors, but the volumes now under consideration lay claim to be the actual

work of Sir Francis, and as the last relic of one who has done much for history in an antiquarian point of view, they demand a record in the transactions of the year.

Two books on English History, with somewhat similar titles, have appeared, illustrating the special turn for further inquiry that actuates a certain class of historical writers of the present day. One is "Omitted Chapters of the History of England," by Andrew Bisset; the other, "A neglected Fact in English History," by H. C. Coote. The former endeavours to correct and modify the views generally entertained of the events and characters of the Cromwellian era, from a perusal of the State papers of the Commonwealth; the latter, dealing with much more ancient and uncertain records, aims at presenting a picture of the transition from the Roman to the Saxon period. Both are considered to be works of careful investigation; of the former we find it stated:—

"It unites, in a remarkable degree, careful and minute research among the most authentic records of the portion of English history which it traverses, with a mode of thinking which one can recognize as the author's own, and which, whether one sympathizes with it or not, must win that respect which is always due to able and honest peculiarity."

And of the latter we read:—

"All the facts contained in it, which are not few or unimportant, and many of the opinions enunciated, are well worthy of attention; and the author has pointed out the Roman element in Anglo-Saxon England, more fully and more satisfactorily than any previous writer."

It would be difficult to exaggerate the merit of labours of this description, when honestly and ably performed; for it is only by such gradual and unpretending efforts, that we can hope in time to construct a genuine History of England.

In connexion with the subject of the last-mentioned work may be mentioned (although not exclusively relating to England) the Rev. Charles Kingsley's Lectures, delivered by him at Cambridge, in his capacity of Professor of History. These lectures have been published under the title of "The Roman and the Teuton," and they deal with the period during which the Teutonic race gradually supplanted the decaying authority of Imperial Rome, and prepared itself for the dominant position which it now holds, both in England and on the Continent of Europe. Those who have read "Westward Ho," and Mr. Kingsley's other novels, are aware that he has a strong bias in favour of the Germanic races, and apparently a kind of religious horror of the Latin. This prejudice lends vigour and ardour to his style, but may possibly be a drawback to his usefulness as a teacher of History.

"Professor Kingsley is an ardent and able exponent of the moral qualities of *race*. This is a curt and tempting mode of accounting for all historical phenomena which we are not otherwise able to explain. But, just because the method is so easy, the philosophic historian will be the more constantly on his guard against the fallacies to which it leads, and will only make use of it as a last resource, when all other methods have failed. But, instead of the last, this is always the first key which Mr. Kingsley applies to the problems of history. The innate vigour and virtue of the Teuton, the innate feebleness and corruption of the Roman are set forth as the true and almost the sole causes of the overthrow of the Roman empire. Mr. Kingsley idolizes his imaginary ideal—his virtuous and noble savages, the 'forest children,' fresh from the northern woods; while he finds it hard to discover any thing to admire in the Roman citizen, with his unexampled genius—constructive, administrative, legislative, practical. In fact, he seems to



have taken the exaggerated rhetoric of Salvian, together with the *Germania* of Tacitus, many parts of which are little better than a mere political satire, as firm and trustworthy substrata on which to build up a theory of mediæval history.

"Yet, for all this, Mr. Kingsley brings out into grand relief many of the deeper teachings of history. He shows well the fatal ultimate result of slavery upon a nation's strength and life—how it infallibly leads to make impossible the existence of a middle class, which is the first essential of national well-being, and how it ultimately saps all private morality, without which, public morality is impossible. In the lecture entitled 'The Dying Empire,' he applies this principle to Rome, and shows how 'the free middle class had disappeared, or lingered in the cities, too proud to labour, fed on Government bounty, and amused by Government spectacles,' and that there was, therefore, nothing left to stem the tide of barbaric invasion when it came. Equally forcible is the lecture on 'The Nemesis of the Goths.' It showed that the same causes which destroyed Rome, destroyed the Ostro-Gothic Kingdom which had been founded on the ruins of Rome."

Before quitting the subject of English History, we must briefly mention one or two books, referring to limited periods. One of these is a translation of the "Year Books of the Reign of King Edward the First," by A. J. Harwood, of which we read:—

"To the general public this book will not be so acceptable as many of its predecessors; but to the lawyer, antiquarian, and historian, its value will be found to be very great. Nothing has been spared by the editor to render it especially useful to those last mentioned."

The others are the "Calendar of State Papers for 1558-59," edited by the Rev. J. Stevenson, from the English Record Office; and "Calendar of State Papers, &c., relating to English Affairs" (Vol. I.), edited by Rawdon Brown, from the archives and libraries of Venice and Northern Italy. The frequent publication of books of this description, notwithstanding the want of general encouragement (for such books cannot be popular in the ordinary sense of the word), is a healthy indication of the earnest spirit of inquiry which exists among a considerable section of the literary men of the day.

There are some half-dozen books of the past year which, though not strictly "histories," are so closely connected with English history that they should be mentioned in this place. In the "Life of Sir William Napier" (edited by a rising statesman, Mr. H. A. Bruce, M.P.) we have a vivid picture of the character of one who himself so graphically portrayed the great war in which he took a part. The life of General Wolfe is the record of an important crisis in the Anglo-Gallic rivalry which existed for so many centuries, and is, perhaps, not yet extinct.

"Remarkable as it may seem, this is the first satisfactory biography which has appeared of a distinguished general who has hitherto been remembered only for one remarkable exploit, but whose life and character well deserve attention and respect."

"Sir John Eliot, a Biography," by John Forster, has attracted much attention, for the subject of the memoir, although hitherto he has been to Englishmen "little more than a name," was in fact the embodiment of that spirit—good or bad—which produced the Great Rebellion. Apart from political considerations, Sir John Eliot cannot but be looked upon as a strong, bold, determined, yet thoroughly kind-hearted man; and his mind was cast in so grand a mould as to justify fully the following observations, which we extract from the "London Review":—

"If this treatise shows, as it does, the depths of his culture, his love of elegant literature, the breadth and grasp of his mind, and the severity of his heroic composure; not less do the letters make manifest the sweetness and affectionateness of his disposition, his unaffected piety, his devout resignation. There is not a trace of unmanly querulousness, of ignoble resentment, of weak despondency. In calm confidence in the ultimate triumph of the good cause for which he was laying down his life, and in firm reliance upon the verdict of that posterity which was ever in his thoughts, he endured whatever of ignominy and pain his persecutors could inflict upon him. A bold and sagacious statesman, a leader whose courage, tact, and promptitude never failed; a champion equally gifted to inspire foes with terror, and friends with confidence and love; a parliamentary orator who may rank with the greatest that have ever adorned the House of Commons, his highest claims to our reverence and gratitude are nevertheless founded on his lofty patriotism and unstinted self-devotion to the country which he loved so well."

It is satisfactory that Mr. Forster's industry has rescued such a character as this from the common doom of oblivion. The "Life and Times of Benjamin Franklin," by James Parton, although properly belonging to American history, is too closely connected with our own to be omitted from this summary; and it derives an additional importance from the fact that no very satisfactory life of the great American statesman existed before. Another book not unworthy of attention in this branch is the Duke of Manchester's "Court and Society from Elizabeth to Anne," a curious budget of information culled from records and papers handed down by the Duke's family, which has been described as "One of those works which reveal to us every now and then how much curious material for history is to be found hidden away in old mansions."

There are various works of general history (we use the expression merely as opposed to English history) which will form valuable additions to the library of standard works. One of these is "A History of the World," Vol. I., by Mr. Philip Smith, a well-known contributor to the Dictionaries of Greek and Roman Antiquities. The task which Mr. Smith has undertaken is one which must be spread over many years, and little can be known at present except the plan which he lays down, and the preliminary principles that he enunciates. He "proposes to relate the history of the world from the earliest records to our own times, a work which has never been achieved by the literature of England since Sir Walter Raleigh left unfinished the 'History of the World,' in the composition of which he solaced his imprisonment. 'Universal Histories' there are, bulky or meagre, recording the annals of each nation separately; but Mr. Smith aims, in his 'History of the World,' to trace the story of Divine Providence and human progress in one connected narrative, prescribing an *organic unity* throughout. In carrying out this plan he finds it necessary to set aside those deductions and speculations in geology, anthropology, and theology which have of late engaged so large a share of public attention, and to assume the divine and historic character of the Hebrew Scriptures, excepting, however, such contributions from science as may serve to illustrate his narrative. As to the propriety of this procedure, opinions will of course differ, and it will be argued by those whose views cannot be ignored that questions which Mr. Smith's plan requires him to regard as settled are still *sub judice*. History, he justly points out, however, rests on the evidence of credible witnesses; while science rests on observation and experiment, although history often finds confirmation in existing things, and science makes a secondary use of testimony. Without seeking to come into collision with science as to the questions of the origin of this world, and of man himself, Mr.

Smith, avoiding conclusions resting on too slender a foundation of admitted facts, accepts the testimony of the sacred writers as to these questions not only without hesitation, but with a reverential faith. Regarding them as in all respects credible witnesses, whose veracity has been demonstrated beyond all doubt, he makes the Holy Scriptures the basis and starting-point of the 'History of the World.'

To this must be added Mr. Dyer's "History of Modern Europe," which has been completed and re-issued, and contains a good and practical account of European transactions since the taking of Constantinople by the Turks. Some of Mr. Dyer's critics complain that he relates the history of Governments and not of peoples; others will say that this is his greatest merit, and that those who profess, according to the modern phrase, to give the history of the masses, are in fact merely recording their own political opinions.

Another noteworthy book is M. D'Aubigné's "History of the Reformation in Europe in the Time of Calvin." M. D'Aubigné's previous works are so well known, and his name is so thoroughly established, that it is not necessary to say much respecting the present work, of which only one volume (the third) has made its appearance during the past year. A similar observation will apply to the fourth volume of Mr. Carlyle's "History of Friedrich II." (Frederick the Great), which has also been brought out recently. M. Guizot's "Memoirs of a Minister of State" is a remarkable work, as stereotyping that which is thought worthy of record in the recollections of a statesman and philosopher who can say *pars magna fui* with regard to most of the political transactions of Europe during the period which it comprises. The book commences at the year 1840, so as to form a sort of continuation of the venerable author's former work, in which he described his experience as French Minister in London. Among the subjects of interest treated in the volume are the Paris fortifications, the negotiations respecting the right of search, and the mutual hospitalities between Queen Victoria and Louis Philippe. The last-mentioned topic derives increased significance from the fact in the memory of all, that a similar interchange of friendly meetings has since taken place between Her Majesty and the present ruler of France. Among the contributions to general history must also be mentioned the "Correspondence of Napoleon I., Vol. XV.:" and a valuable work entitled "The Scot Abroad," by J. H. Burton, which sheds much light on the bygone times when Scotland and England, unfortunately for both, were not on such friendly terms as at present. The scope and object of Mr. Burton's work are well shadowed forth in the following sentences:—

"In the two volumes before us we have another important contribution to the elucidation of the history of Scotland—a field in which the author has already reaped many brilliant and well-won triumphs. No one possessing any liking for the curiosities of history and biography, can fail to be gratified by this most interesting *mélange* of archæological gleanings.

"The migratory nature of Scotchmen has long been a threadbare sarcasm; and we are all familiar with the illustration of this ubiquitous character, in the ideal Caledonian who is to be found bestriding the North Pole. But, in the earlier days of their history, there was one special country to which these adventurous sons of fortune mainly resorted, and where they long enjoyed an extended success and renown. The ancient alliance of Scotland with France, forms one of the most curious and interesting episodes in the chronicles of both countries, during a period of nearly 250 years, or from the beginning of the fourteenth century to the Reformation. To an account of this league and its accessory circumstances, the first volume of Mr. Burton's work is devoted. It will serve as a most useful



pendent to the graphic delineation of 'the Scot abroad,' with which Sir Walter Scott has furnished us in 'Quentin Durward.'"

In the more outlying parts of history we have the "Life of Marcus Tullius Cicero," by W. Forsyth, Q.C.:

"A new biography of Cicero has long been wanting among us. That by Middleton has for many years been in arrear of the requisitions of present scholarship and criticism. Not but that Middleton's work has done good service in its day, in spite of the strong partiality which is the soul of the whole narrative. But the world, since the days of the Ciceronian and iconoclastic divine, has become less Ciceronian, and in the present state of moderate enthusiasm about his idol, an essay of such extravagant partisanship is out of date; besides which, two German professors of portentous erudition, Drumann and Mommsen, have done all that learned obloquy and insult can effect to uproot the fame and darken the moral aspect of the ancient Roman. We have long looked for a Ciceronian of adequate prowess to enter the lists against them. Such a champion we cheerfully recognize in Mr. Forsyth, whose attainments as a scholar and lawyer have already been signalized in the pleasant volume bearing the name of 'Hortensius,' the great advocate, and friend and rival of the subject of the present volumes. Mr. Forsyth has rightly aimed at endeavouring to set before us a portrait of Cicero in the modern style of biography, carefully gleaning from his extensive correspondence all those little traits of character and habit which marked his private and domestic life."

And coming down to more modern times we find a "Life of Bertrand du Guesclin," by D. A. Jamieson, "Unpublished Letters of Louis XVI.," &c., edited by F. F. de Conches, and "Married Life of Anne of Austria, Queen of France, Mother of Louis XIV.," by Miss M. W. Freer. The last-mentioned work derives its principal interest from the necessary connexion of the Queen with some of the most important political personages of the day, as, for instance, the Duke of Buckingham, Cardinal Richelieu, the *Grand Monarque* himself, and her other son, Don Sebastian, King of Portugal.

Among the Biblical and Theological works of the year appears Vol. II. of the third edition of Kitto's "Cyclopædia of Biblical Literature," of which it need only be said here that its writers do not fall in with the views of Colenso and most of the other recent writers on similar subjects. The "Life of Jesus," by D. F. Strauss, must be mentioned, since, although the work of a German, it has a publisher in London. The author has chosen the same title that became so famous in the hands of M. Renan, whose "Vie de Jésus" was translated in 1863. He selected this title, however, many years ago, and if any body is to be accused of plagiarism, it must be the French author. In short, Herr Strauss is a veteran writer on these subjects, having published his first edition nearly thirty years ago; and the work which he has now brought out after so long an interval, although bearing the same name, is the result of an additional half-century's reflection. It is almost needless to say that the views maintained in Strauss's book are very different from those of the contributors to Kitto's Dictionary.

"The Introduction contains an account of the different attempts that have been made to set forth the life of Jesus historically; after which the Gospels, as sources of such a life of Jesus, are treated according to their external attestation, their internal condition and mutual relations; and the conceptions of miracle and myth are developed. The first book gives the life of Jesus in historical outline; the second contains His mythical history in its rise and development. The last embraces the substance of the whole, and is divided into a series of successive

myth-groups; such as Jesus the Son of David, the Son of God, the Second Moses, the Forerunner of Jesus, the Disciples, Jesus as a Worker of Miracles, His Transfiguration and Entry into Jerusalem, the Supper at Bethany and the Passover, His Agony and Apprehension, His Trial and Condemnation, His Crucifixion, Death, and Burial, His Resurrection and Ascension. The key applied to the solution of the problem is the mythic theory. Around the Man Jesus gathered Jewish expectations and conceptions of the Messiah, attaching themselves closely to His Person. Doctrinal views projected themselves into the region of the objective, finding an individuality in the person, sayings, and deeds of Jesus; while He was idolized by admiring disciples after His death, exalted to superhuman excellence, and invested with divine powers. Jesus—a remarkable and pure-minded reformer—worked no miracles, and neither rose from the dead nor ascended into heaven. He was not a divine being, but a mere man, though an extraordinary one. Such is the view given by Herr Strauss; a view negative enough, it must be confessed, and chilling to the feelings of thousands who have learnt to bow the knee at the adored name, and to trust in Him alone for salvation.”

Whatever we may think of the views thus sketched out, we must admit that Strauss thinks seriously, and is not a gorgeous trifler, as most critics have considered Renan to be.

A different kind of work from any of those above mentioned, though somewhat similar in name, is “The History of our Lord as exemplified in Works of Art,” commenced by the late Mrs. Jameson and finished by Lady Eastlake. This is a fanciful title, and can scarcely pertain to a work of any important theological significance. The book, however, is pronounced to be well-written, and interesting by its details respecting the works of the greatest painters.

“The portion of the work due to the late Mrs. Jameson, whose writings upon sacred and legendary art are so highly estimated, is confined to the first volume, and refers chiefly to the earlier typical history of Christian art. The second volume embraces the more important works of art illustrating the life of Christ, the events surrounding the crucifixion and resurrection, and the subsequent history, ending with the subjects of Christ enthroned, the crowning of the blest, and the Last Judgment; the greater part of this is entirely the production of Lady Eastlake. It is a most valuable and interesting contribution to art literature, reliable and complete as a work of reference, and agreeable to read. Some pleasantries, intended to give lightness, are, however, not always in good taste, nor in keeping with the subject; as where it is said, referring to the eighth century, ‘The cards of art were too intricately shuffled to be clearly sorted out;’ and, in another place, where Adam is described as a low Italian, and Eve, ‘a poor drudge, who has evidently never had a moment’s happiness with him in Paradise.’ These, however, are only mentionable as oversights easily corrected, and not at all detracting from the merits of this most interesting and instructive work.”

“The Church of Christ and its Witnesses,” from the German of F. Böhringer, Vol. I. Part I., is very voluminous; and the work, when completed, will be of enormous size. It promises, however, to be a book of much value in the history of the Early Christian Church. The present part contains the lives of Tertullian and Cyprian; but, not content with recording events, the author swells his book with copious quotations. The following remarks will give some idea of the nature of the work:—

“The work of Herr Böhringer has the peculiar characteristic of giving the history of the Church in biographies. On this account it is readable, without making pretence to philosophizing or to a logical connexion, like Niedner’s.

"The work will repay perusal, and seems indispensable to the thorough student of ecclesiastical history. The author has contributed to the stock of German literature, already large, that treats of the development of Christianity, its growth and phases, its corruptions and doctrines."

A new English version of the New Testament, from the Vatican MS., has been published by an author who, under the *nom de plume* of Herman Heinfetter, has long been known as a student of the sacred text. The age of the various MSS. and their comparative value must always be subjects of discussion among the learned in ancient *codices*; but to the general public such topics are of little interest. It is, however, for the general advantage that these matters should be debated, and Mr. Heinfetter, who holds strong opinions in favour of the Vatican MS., has done good service in putting forward those opinions, supported by all the arguments that suggest themselves to his mind.

Under the head of Theology must also be ranged "The Gnostics and their Remains;" for although, as the title implies, the book is of a mixed character, and moreover, the Gnostics can scarcely be considered to have assumed the position of a distinct religious sect, yet there is no other branch of literature with which it is so intimately connected. The author of the book, Mr. C. W. King, takes as his starting-point the treatise of M. Matter, entitled "*Histoire Critique du Gnosticisme*," and endeavours to supplement the labours of the French author by the aid of subsequent reflection and investigation.

"Modern divines, like Beausobre and Walsh, have treated the Gnostics in a similar way—that is, as Christian heretics—and upon this view, no intelligible explanation of their ideas was possible. The so-called Gnostic systems must be treated as independent schemes of religion and philosophy prior to and apart from Christianity, and their origin must be sought in the old religions of Egypt, Persia, and India. The true relation of Christianity to these so-called heresies will then become apparent.

"The plan proposed by Mr. King was, he tells us, first to review the grand religious systems of the East flourishing at the time of the establishment of Christianity in those regions, and their necessary influence on the modes of thought and expression, both of its missionaries and of its first converts; next, by the testimony of the Apostle to the Gentiles himself, to establish the existence of all the germs of the gnosis, in those cities which were the scene of his most important labours."

Two or three books connected with the special pursuit of Literature deserve notice. Perhaps the most generally interesting of these is the volume entitled "The Afternoon Lectures on Literature and Art, &c., Dublin," in which the merits and defects of the most distinguished French and English writers are set forth with much spirit and power.

"The contents of this volume are full of beauty; and they are invested with special interest as the publications of a society lately founded in Dublin for the promotion of general literary culture by the means most likely to lead to such an end—that of making instruction attractive. The distinction attached to the name of Mr. Joseph Napier, who delivered the opening address of this year's session, suggests expectations of excellence in the work to be achieved which are justified by the specimens here laid before us; for this volume, small in bulk, holds within its boundary much matter for those who love contemplation, and who desire to extend the range of their thoughts, and to improve the vigour of their faculties by communion with the minds of men who have reflected wisely and deeply, and whose moral vision has been



stretched to regions beyond the field of view accorded to the eye of the common labourer."

The most aspiring work of this class, however, is Mr. Henry Morley's "English Writers," a history of English literature on a gigantic scale, of which one volume, "The Writers before Chaucer," has appeared, and has met with a very cordial reception. Prefixed to the volume is an "Introductory Sketch of the Four Periods of English Literature," which is perhaps a little out of place, since the author will be better prepared to sum up his conclusions when he has gone over the whole ground. As Mr. Morley is a young man, we may reasonably hope that he will live to complete his task; and if so, it may be safely predicted that he will re-write his "Introductory Sketch." With respect to his competency to execute his laborious undertaking, there seems to be but one opinion, though there is naturally some difference between him and many of his critics on points of detail.

"Mr. Morley's first instalment of a history of English literature gives us hopes that the want of an adequate text-book on a most important subject may at last be worthily supplied. The present volume shows very wide reading, great critical good sense, and the command of a fluent and interesting, though perhaps sometimes an artificial, English style. The main fault, we think, is that the author has attempted too much. We are disposed to quarrel even with the introductory chapter on the outlines of English literature, and to believe that the plan would have been better learned from the book itself than from an unavoidably meagre preface. The mind is rather bewildered than assisted when it is called upon to ramble, in the space of a single essay, from pagan times to the nineteenth century in England, with occasional digressions to Dante, Amadis de Gaul, and other foreign influences. We object still more decidedly to the chapters on language and race. The Indo-European theory cannot be discussed adequately within Mr. Morley's limits, and a sketch of the Saxon grammar has no proper place in an account of poets and thinkers. The attempt to do so much has constantly forced Mr. Morley upon mere compilation, and he puts down rival theories side by side, as if Professor Müller and Mr. Crawford, Dr. Guest and Mr. Wright, were equally entitled to a hearing. In other words, he is off his own ground, and can rather indicate as an inquirer than sum up as a judge. Whether these chapters may not have a certain marketable value for students in competitive examinations, as a good digest of conflicting opinions, is another question. We are inclined to fear they have. But we think well enough of Mr. Morley's literary work to wish that he had confined himself exclusively to his own peculiar province."

"In this, the first volume of his work, Mr. Morley follows the course of literature from the earliest Celtic songs down to the time of Chaucer. The task he proposes to himself is not a mere collection of names, dates, and extracts. Instead, his attempt is 'to tell the story of the English mind.' 'A chronological series,' he writes, 'of authors' names with biographical dates and extracts has its use of course; and so has a list of the affluents of a great river with their measured lengths and their distances from one another. Nor is it without use to produce bottles of water drawn from each. But if we are told nothing of the river's banks, or of the feeding-grounds of its affluents; but are left to infer what we can from the fact that one water is clear, another sandy, and another contains clay; if nothing is told us of the bluffs and mountain chains that turn the main river's course; the valleys into which it pours—here rushing impetuously between rocky banks, there spread into a sluggish lake over the marsh land,—the stream may have been industriously measured, but it has not been surveyed.'

"Mr. Morley's book is evidently the result of considerable research. The arrangement of the subjects is good, disregarding as the author does those arbitrary divisions of the language which really have no existence. The volume is a valuable instalment, and gives promise that the book when complete will be a great aid to the student of English literature."

Perhaps we may be deemed inconsistent in mentioning in this place a book written in French, published in France, and exclusively the work of a French author. But a work entitled "*Histoire de la Littérature Anglaise*," and professing to be a complete history of our literature from a French point of view, cannot fail to be interesting to English readers. Such is the work of M. Taine, an author of considerable reputation in his own country, who writes with great facility, and is not afraid to attack any subject that presents itself to his notice. That a writer of so much courage should have both admirers and hostile critics is not surprising, and accordingly the most opposite opinions have been expressed respecting the result of M. Taine's labours. A quarterly contemporary of considerable influence maintains that M. Taine's is the most complete history of English literature that has yet appeared in any country; while a writer in a well-known weekly periodical considers it to be only a compilation of average merit from previously existing works. Perhaps, as regards his first three volumes (the fourth volume will be mentioned presently), an intermediate view between these extremes is the safest. M. Taine appears to have studied some of our best authors carefully, and to have mastered the English language sufficiently to be able to criticize them with judgment. He writes enthusiastically, and is not deterred by any national prejudice from according his approbation to writers whose genius is most opposed to that of his own countrymen. A few lines from a weekly periodical will give some idea of his opinions as to two of our greatest poets—one, be it remarked, a great favourite with the French critic, the other rather the reverse:—

"Shakspeare, according to M. Taine, is 'the greatest artist who has painted souls with words.' He had 'a cast of mind entirely out of the common mould, the very opposite to the logical and analytical bias of the French; all-powerful, immeasurable, supreme no less in the ignoble than in the sublime; never equalled in the power of creating minutely-faithful copies of the real, in the dazzling play of the imagination, or in the complications of superhuman passion; poetical, unfettered, inspired above ordinary reasoning by the spontaneous revelations of his all-seeing fancy; so transcendental in his grief and in his gaiety, so sudden in his dash, so varied and impetuous in his inspiration, that the great age alone in which he lived has been able to produce such a son.'"

"What English audience will not give M. Taine a hearty cheer for this? Passing on to details, our author analyzes several of the 'ignoble' and the 'sublime' characters, and gives a pleasing and graphic sketch of many of the lighter plays. Some of his expressions are peculiarly happy. 'As You Like It,' he says, is a '*demi-rêve*;' 'A Midsummer Night's Dream' a '*rêve tout entier*.' The heroes are men like ourselves, and the heroines are 'charming children,'—real women, who feel to excess and love to madness—not artificial creations, and '*presque des hommes*,' like those of the French tragedy. Jolly Jack Falstaff occupies an intermediate place between the '*bêtes*' and the '*gens d'esprit*.' He is a naughty fellow; we cannot esteem him; but, like Panurge, he parades his wicked tricks with such delightful *naïveté*, that we cannot help loving him for his frankness. All this is the echo of our own thoughts; but we cannot agree with M. Taine in thinking that Shakspeare reproduces himself in all his characters,

from stern Othello to 'quaint Ariel'—an opinion which, frequently expressed in detail, is at length summed up as follows:—'Hamlet is Shakspeare himself; and at the end of this gallery of pictures, which all contain some of his features, Shakspeare has here painted himself in the most profound of his portraits!'

"Milton, by virtue of his lofty position, is deemed worthy of a long notice; but he is by no means a favourite. His 'Paradise Lost' is the subject of some very severe criticism. According to M. Taine, neither the age nor the man was suited to the revival of the epic. Adam is a respectable householder, a pater-familias, an elector, an M.P.,—in short, he is the Puritan John Milton personified. M. Taine hoped to find in Adam and Eve some reminiscence of Raphael's creation, two splendid children of nature, free, blooming, and carelessly happy; he is disappointed in finding an English household, two sensible politicians of the period, Colonel Hutchinson and his wife. 'Dress them, dress them at once!' he cries; 'such very proper people must not be allowed to go without clothes; trowsers and decency are the first things they would have invented!'"

M. Taine's great weakness, which much impairs the value of his book as a standard work, is that he persists in generalizing without sufficient grounds,—in drawing inductions without sufficient examples to warrant them.

"M. Taine's passion for classes, analogies, and general formulæ, sometimes leads him to hasty conclusions. With him, to fancy a likeness is to discover a positive affinity; to discern a distant coast is to stand on *terra firma*. The brilliant Elizabethan school is called *Renaissance Païenne*, because it was contemporaneous with the maturity of Italian painting and the fall of Gothic architecture. We are not at all convinced that a living, breathing, Madonna of Raphael, is essentially less devotional than a bloodless martyr of Lippi or Perugino; but even if it were so, a mere coincidence of date proves nothing. The argument drawn from architecture, seems, if possible, weaker still. The decadence of Gothic architecture commenced long before Elizabeth. Its doom was sealed when the rich and stately Decorated style was superseded by the depressed forms and monotonous prettiness of the Perpendicular. In short, it fell because it had reached its culminating point, and because fickle man, when he can no longer alter things for the better, must needs alter them for the worse. We have heard of a learned Doctor who added a thirteenth book to Virgil's *Æneid*, and of another who adorned the whole of that poem with rhymes in the original Latin. It is difficult to see how the barbarity of the Saxon period can account for the rough nature of its poetical productions. We are reminded that seven out of fourteen Northumbrian kings died violent deaths; that Penda, King of Mercia, endeavoured to burn up Bamborough and all its inhabitants; that Elgiva ordered Dunstan's eyes to be put out, and was herself ham-strung and put to death; that Tostig slew his brother Harold's adherents, and pickled their limbs in jars of wine and mead and cider. What could such an age produce, except rugged war-songs and sombre dreamings? Unfortunately for the cogency of the argument, we find that a reckless disregard for human life was not confined to the Saxons or their period. In M. Taine's account of Norman times we read that the lords thought themselves at liberty to commit any excess; that they harassed, imprisoned, and tortured the Saxons, seized their money, goods, and lands, tore away the very morsel of bread from their mouths, and freely worked their pleasure on them with cudgel and sword. The Norman conquerors of Jerusalem massacred 70,000 souls at the taking of the unhappy city; the Norman Henry the Second rushed at an offending page to tear his eyes out; his son King John starved twenty-three hostages in prison; his descendant, Edward the Second, hanged and quartered



twenty-eight nobles at a blow, and was himself slain at last under circumstances of unparalleled barbarity. Again, we have the daily lopping off of heads in the Wars of the Roses; and, coming down to the reign of Henry the Eighth, we find orders given to Lord Hertford to sack the capital of Scotland, and to slay every man, woman, and child, if resistance is offered! Thus the crimson stream rolls on from age to age, and we are at a loss to see how any special inference can be drawn from it.

"But M. Taine as a critic is a different being from M. Taine as a speculator. When he has once got a practical task before him, he ceases to be a dreamer, and appears in the more becoming character of an acute and impartial observer. The cumbrous robe of the sophist falls off in an instant, and, lo! a sinewy athlete stands before us. No change can be more sudden, no fairy transformation more complete. He must win every English heart by his glowing admiration for all that is pure and great amongst us, and to his own countrymen his '*Histoire de la Littérature Anglaise*' offers an excellent and very sufficient compendium."

The fourth volume, entitled "*Les Contemporains*," is a disappointment. Instead of giving us a general view of English contemporary literature with French colouring, which might have been highly amusing and suggestive, it is merely a group of essays on six principal writers.

Mr. C. E. Turner's work on English Literature, "*Our Great Writers*," of which the first volume came over from Saint Petersburg a few months ago, promises to be the most satisfactory history of English literature for general use. As a book of reference it will not supersede Dr. Craik's well-known work, but as a drawing-room book it is far more readable, and it contains, up to the present point, all the information that an ordinary reader can require. Mr. Turner's labours are undertaken for the benefit of the students of an Imperial College in Russia, where he occupies a Professor's chair; but it is not too much to say that if his pupils master "*Our Great Writers*," they will know more of the subject than the majority of well-educated Englishmen.

A new edition of Lowndes's "*Bibliographer's Manual of English Literature, &c.*," is most acceptable to all who make the history of books their study, and useful also to those who use books as a means and not as an end. Part X. of this laborious work was published during the last year.

"In the preliminary notice Mr. Bohn says: 'The present part concludes my bibliographical labours on the nucleus furnished by Lowndes, but does not complete the work. An Appendix is to follow immediately, which will contain, *inter alia*, a complete list of all the books printed by the Literary and Scientific Societies of Great Britain, with such particulars respecting them as are likely to be useful to the scholar and collector.' Every page in the present part, even as in its predecessors, shows how much care and painstaking have been bestowed upon the book by the editor during the seven years the present edition has been progressing under his hands. In its present form, the '*Bibliographer's Manual*' should find a place on the shelves of every literary man who would study the literature of Great Britain; whilst, to booksellers, dealing in rare or costly books, it is an indispensable manual and guide."

Several interesting Biographies have appeared during the past year, besides those which we have mentioned as properly pertaining to History. The "*Life of Laurence Sterne*" has been written by Mr. Percy Fitzgerald, who appears to have made an amusing book out of rather limited materials. Victor Hugo's "*William Shakspeare*" has been translated into English, and is worth reading as a curiosity, though marred by an incurable mannerism of style.

"For every page of sterling matter we have fifty of vapid and diffused raving. As in all authors who give themselves up to the intoxication of the Pantheistical idea, M. Hugo's writings at times kindle with a sort of fierce, maniacal poetry, flaming out of the heart of nature, and seeming to stagger between the drunkenness of the senses and the frenzy of religious exaltation. It is such poetry as the Corybantes might have sung as they leapt and tore themselves before the altar of Cybele, or as Orpheus might have chanted in the woods of Thrace. Some one has called Spinosa—certainly the greatest Pantheist of the modern world—"a God-drunken man." The same might be said of M. Victor Hugo. But these ecstasies are perpetually giving place to the French love of epigram, smartness, and prettiness. M. Hugo now and then rushes into space on wings of fire, and half appals you by the voice which he flings out of the void; but the next moment he pelts you with a shower of *bon-bons*. Even when he worships he grimaces. He would point an antithesis on entering the Holy of Holies, and is ready at any moment to reduce the mightiest of questions to the neatest of aphorisms."

Professor Acland has published a "Biographical Sketch of Sir Benjamin Brodie," which is only a pamphlet, but shows evidence of the author's taste and feeling.

The "Memoirs, Miscellanies, and Letters" of Lucy Aikin remind us of an almost forgotten period. This lady, who died on the 29th of January, 1864, at the advanced age of 82, was daughter of Dr. Aikin and niece of Mrs. Barbauld, so that she brought down with her to the present day the reminiscences of the literary celebrities of a past generation. Since the days of her youth events have crowded upon us so rapidly that to read her anecdotes of those whom she knew familiarly seems like disinterring the relics of a former race. She never acquired the great reputation that her aunt had enjoyed, but she was a genial and sensible writer, and the fragments now collected by Mr. P. H. Le Breton form a very pleasant and readable volume.

A book entitled "Memoirs of Archbishop Whately," written by W. J. Fitzpatrick, derives an interest from the reputation of the late Archbishop, but is not sufficiently well executed to deserve much attention.

Among the other Biographical works of the year are a "Memoir of Robert Leslie Ellis, M.A.," by Harvey Goodwin, D.D., Dean of Ely; "Passages from the Life of a Philosopher," by Charles Babbage, M.A., &c. (so well known for his endeavours to construct a calculating machine, and his almost equally strenuous efforts to suppress street-music); the "Life of Robert Stephenson," by J. C. Jeaffreson and William Pole, which realizes the ideal of a good biography, being written partly by a professed *littérateur*, who knows how to arrange materials, and partly by a scientific man, who can understand and explain the works of the great engineer; the "Life and Letters of Washington Irving," by his nephew, Pierre M. Irving (vol. iv.); a small memoir of Thackeray, by Mr. Theodore Taylor; and a life of the distinguished American, Alexander Hamilton, by Mr. Riethmuller. Finally, we may mention, as connected more closely perhaps with this branch of literature than with any other, Dr. Doran's work entitled "Their Majesty's Servants," a book about actors and actresses, abounding in humorous anecdote.

In Travels and Geography there are several works worthy of notice. The controversy as to the source of the Nile, which may be said without much exaggeration to date from the time of Herodotus, is now occupying the minds of inquirers more perhaps than any thing else. Unfortunately, one of the persons who could best throw light on the subject, Captain Speke, has been taken from us by an accidental and melancholy death. Before that event, however, he had prepared a work which may be considered to complete the narrative of his experiences. This work,

"What led to the Discovery of the Source of the Nile," gives an account of his expeditions between 1854 and 1858, and explains the circumstances which led to his last journey, of which the history was already before the public. Whatever may be the ultimate conclusion of geographers as to the source of the Nile, there can be no doubt of Captain Speke's zeal or ability.

"If neither the first nor the second expedition to the N'yanza has proved sufficient to set the matter entirely beyond the tumult of controversy, there can be but one verdict in favour of the important insight we have gained by their means into regions known hitherto only by report or conjecture, and of the positive knowledge we have arrived at, through Captain Speke's unwearied exertions, regarding the rainy system of the African continent. Among works of travel Captain Speke's latest volume may rank with the most notable. Throughout there is a strong grasp of the geographical situations, and a simplicity and honesty in the narration of events and in the descriptions of details which render the reading of the book fresh and pleasurable; while we are charmed all along, as much as ever we were, with the indomitable energy and recklessness of hardship which are among the author's most admirable characteristics."

Captain Burton persists in believing that the Lake Victoria N'yanza is not the true source of the Nile; and has written a book, "The Nile Basin," to disprove the theories of Speke. The companion and friend of Speke, Captain Grant, has rejoined in "A Walk across Africa, &c.," and thus the dispute stands at present.

Captain Burton is an ardent traveller and a prolific writer. He has also presented us with an account of "A Mission to Gelele, King of Dahome," in which he purports to give a description of the "grand customs," the human sacrifices, the so-called Amazons, and other matters of which confused reports have reached us. Probably a few years more will see the abolition of barbarous practices and the opening of Dahomey to the intercourse of civilized nations. In the mean time all information respecting them is valuable, and Captain Burton's work, though not altogether well written, commands attention by the singularity of its contents and the enterprising disposition it displays.

"Of the royal 'customs,' the grand custom, performed only after the death of a king, and the annual customs, Captain Burton furnishes a very elaborate account, from which it appears that although the horrors of these observances have been a good deal exaggerated, and many adjuncts have been put forward which do not really exist, very little change in the number of victims has taken place during two-thirds of a century. The captain, it will have been observed, spoke to the same effect a few days ago at a meeting of the British Association for the Advancement of Science."

"Religion in Dahomey is a gross form of fetishism. The word 'fetish' is applied to a great variety of things, and the objects of worship are so numerous as to be incalculable; but the existence of this superstition at least implies the conception of some species of spiritual life and of Creative Power. Beasts, serpents, even men sometimes, the elements, and natural objects, receive divine honours, and are supplicated for the granting of favours or the averting of wrath or danger. Captain Burton gives a list of twenty-three fetishes."

"The literary style of these volumes is, as we have said, in many places very objectionable—a mixture of slanginess and quasi-scholasticism, sometimes even obscuring the author's meaning; but the work is nevertheless a most valuable record of a strange and distant land—a record which will be read with interest in the present, and quoted as an authority in the future."

Mr. Winwood Reade's adventures, published under the name of "Savage Africa," are very amusing, but have too much the air of a romance founded on



fact to be reckoned among important books of travel. Mr. Thomas Baines has made a much more important contribution to this kind of knowledge in his work entitled "Explorations in South Africa," which contains a narrative of the journey from Walvisch Bay, on the Western Coast, to Lake Ngami and the Victoria Falls. Mr. Baines is an observant and earnest traveller, and it is by the efforts of men of his character, who write for the purpose of recording facts, not of pleasing the imagination or moving the risible muscles, that we are gradually working our way through the crust of mystery that envelopes the interior of the vast continent of Africa.

"The Siberian Overland Route," by Alexander Michie, is a most interesting book to Englishmen, who are accustomed to travel by sea, and know little of the interior of continents. Apart from the mere incidents of travel, Mr. Michie gives us an insight into the character of nations of which we can scarcely be said to know any thing except the names.

He "enters upon the consideration of race, religion, manners, and national character, and falls into a little confusion of ideas on some of these subjects. Affirming that the Mongols are neither noble nor generous, he yet represents them to be in a supreme degree hospitable, ready to sacrifice their own interests to those of their neighbours, affectionate, kind, and covetous beyond all other Orientals. In practical ethics they confessedly stand on a higher level than any civilized people, though in physical development, figure, and features, inferior to most tribes of mankind, the low African races excepted. He justly observes that the question of colour is a difficult one; but so also is every point connected with the diversities of the human species. It cannot be to his religion that the Mongol owes his superior morals, because that he holds in common with the most vicious populations on the earth; it must, therefore, be traced to his origin and to his blood, whatever that may be. The remainder of Mr. Michie's journey from Kiachta to Petersburg lay through a better-known country, though he contrives to infuse an interest into the whole of his narrative, which deserves to be widely read, and in many parts even to be studied. The volume is adorned with numerous illustrations, and supplied with two excellent maps."

Another portion of Asia, very little known as yet, has been explored by Arminius Vambéry, a Hungarian, whose work has been translated under the name of "Travels in Central Asia." This traveller's adventures in Khiva, Bokhara, &c., are not without interest; but he boasts that he perpetually imposed upon the credulity and good-nature of the Asiatics, and who can say that he is not imposing a fabulous story on Europe?

The late M. Mouhot's Travels in Siam, Cambodia, and Laos have been translated, and form a "highly curious and interesting work," about countries which have not been much explored, and which possess very interesting features; among others, some vast architectural relics, showing the existence of civilized inhabitants at a very early period. It will be remembered that similar remains are found in India; and there is little doubt that both the great Asiatic Peninsulas were once inhabited by races far superior in culture to those which our early European travellers found there. "Life in Java," by W. B. d'Almeida, is a work of a different character, describing a country which stands in the same relation to Holland as the Indian Peninsula to ourselves. It is a lively and pleasant sketch, "the best possible handbook—brief, rapid, and full of entertainment."

A translation of Signor Pierotti's "Customs and Traditions of Palestine," a careful and very curious work, has been published recently, and will be found well worth perusal.

"In the pages of the work under notice, the author's main object has been to portray as faithfully as possible the manners, customs, habits, &c., of the present inhabitants of Palestine, as compared with those of the ancient Hebrews who dwelt in the same part of the world. This has been his constant aim throughout the book, the subject-matter of which is the result of personal experience gained during eight years' residence in the Holy Land. Signor Pierotti is a Doctor of Mathematics, and was formerly civil and military architect-engineer to his Excellency Surraya Pasha of Jerusalem, which post he held, while living in Palestine, from 1855 to 1863. The first two chapters of his work are entirely devoted to a history of the character and habits of the domestic and wild animals at present inhabiting Palestine, and, from his frequent mention of the numerous allusions to these animals contained in Scripture, the chapters form a kind of natural history of the Bible."

Mr. Eastwick's "*Journal of a Diplomat's Three Years' Residence in Persia*" has attracted general attention, from the known talent and activity of the writer. It is an interesting and honestly-written book, and may tend to dispel the fairy-like delusions respecting that country which we have derived from the "*Thousand and One Nights*," and the tales of our own novelists and poets.

If we were writing a catalogue instead of making a selection, there are numerous other works of travel that we should have to mention. Never do men seem to have run to and fro upon the earth as they do at present. If a naval commander is ordered to take soundings, or a civil officer is sent on a mission, he straightway writes his travels; and some of our most profitable reading comes from these sources. But this is not enough for our spirit of curiosity. A hundred amateurs are starting every year in various directions, each determined to undergo every hardship and brave every peril rather than fail to reach the goal of his hopes. In arid deserts, on snow-clad mountain peaks, among lawless savages, and in the courts of semi-barbarous kings, the enterprise of our countrymen (and, it is only just to say, at the present day, that of other European travellers also) contrives to force its way to knowledge, and there is scarcely a corner of the earth from which some contribution does not arrive to swell our libraries of travel. Works have been issued during the past year on Mauritius, Madagascar, on the islands of the Pacific, on the Neilgherries and the Deccan, on North and South America, on Australia, and, coming nearer home, on the Ionian Islands, on Norway, on Albania and Montenegro, on Russia, Greece, and Syria, on the Central Alps, and on the Dolomite Mountains of the Tyrol and Carinthia. Most of these are works of considerable merit, and some are splendidly illustrated. It may not be amiss in this place to mention the *Travels of Pedro de Leon (1532-50)*, a quaint and curious work of early exploration in South America, which has been recently brought out by the Hakluyt Society, under the able superintendence of Mr. C. R. Markham.

In Philology and kindred subjects there are one or two valuable contributions. A new edition of "*Lucretius*," with a translation and notes, is a remarkable phenomenon, and Mr. H. A. J. Munro's task seems to have been well executed.

"It is far the best edition of '*Lucretius*' in any language, and, except Lachmann's, the most important contribution to the restoration of his text that has been made in the last 300 years. We do not know where to look for an English edition of any classical author which can be at all compared with it for the admirable combination of varied learning, philosophical power, fine scholarship, taste, and good sense. And with all this, there is so hearty an appreciation of the merits of others, such honest hate of slovenliness and unfairness, so simple and modest an assertion of opinions, that it may well be taken as a model

by editors, whether English or foreign. It is not too much to say that Mr. Munro has now proved what many have long believed—that he is the best Latin scholar in England.”

Dr. Latham is bringing out a new edition of Johnson's Dictionary—a laborious, and, we fear, a rather thankless task; but one which will doubtless be well executed.

Professor Max Müller's second series of “Lectures on the Science of Language” has attracted much attention. However fanciful some of the ideas of Mr. Müller may be (as, for instance, his admiration of Bishop Wilkins's attempt at a universal language), his learning is undeniable, and he possesses the art of interesting others in his speculations. Moreover, he is earnest in his labours, and is not to be diverted from the substance of his inquiries by the shadow of temporary fame.

“Before these lectures were delivered, an idea was afloat in the learned world that Mr. Max Müller had been led by the great success he had attained to attach too great importance to popular applause, and that each essay he published showed an increasing desire to maintain, at the risk of solid progress, the position he had won. The second series must dispel this idea. The author has chosen a subject not alone technical, but difficult, and has boldly met its hardest problems. In this course there is no shirking the less popular aspect of the science. How far the result may be of value commensurate to the labour by which it has been attained by lecturer, hearer, or reader, is another question.”

In defence of those who persevere where there is no definite goal in view, it may be remarked that few discoveries would be made if scientific men were wont to pause and ask “*Cui bono?*”

The mere resemblance of ordinary Sanscrit words, such as the numerals, the words of near relationship, roots of verbs, &c., to those of the Latin and Teutonic languages, showed long ago a much more close connexion between East and West than was before suspected, and thus arose the term “Indo-Germanic Family,” which is still in use. Comparative philology is still in its infancy, and it may lead to many useful conclusions as yet unforeseen, if its votaries are content to proceed step by step, and to resist the temptation of generalizing too rapidly.

Lord Derby's translation of Homer's Iliad has taken the public by surprise. Conspicuous for his brilliant eloquence and unusual versatility, but well known to be closely engaged in politics, and credited with the authorship of a very amusing little book for children, that nobleman was scarcely expected, at a rather advanced age, to put forth a work which must be criticized not only as a poem, but as a book of classical scholarship. Upon the whole, Lord Derby's Homer has been well received; but it is not easy to please every body, and the noble author is blamed by some critics for attempting to translate the simple and primitive language of the old Greek into our pompous heroic metre. It is true that Pope and other translators have chosen the same metre; but Pope's Iliad is not a translation; it is a poem suggested by Homer—a poem which, but for Homer's existence, could never have been written; while the epithets, the style of language, often the ideas, are those of Pope, and fine as the performance is, it makes no attempt to catch the spirit of the original. It seems now to be generally admitted that this is not the way to translate poetry; if then we have thrown off the errors of our predecessors, why not throw off the cumbrous metre also?

“If heroic blank verse is the grandest, as probably it is, of English metres, it is by far the most difficult. To write it in a fashion is the easiest of all tasks, to write it as it should be written, the hardest. Rhyme is an attraction in itself,



and by its mere 'whiff and wind' often suggests rhythm and expression; but blank verse has no attraction beyond what its writer can give it, and suggests little or nothing. Between the times of Milton and Cowper, it was almost a lost art, though many poems were written in it by eminent authors. In the present day, it may be rather better understood; but very few can write it so as to carry their readers with them. Johnson's words remain true:—"He that thinks himself capable of astonishing may write blank verse; but those who hope only to please must condescend to rhyme."

"Tried by these tests, Lord Derby's choice of metre must be pronounced unfortunate. He makes scarcely any attempt to copy the peculiar cast of the Homeric language; he is not (and it is no disparagement to him that he is not) one of the few great masters of English blank verse rhythm. His language, though generally simple, is essentially modern. There is nothing to remind the reader that he is perusing a translation of a poem so old that its date is lost in antiquity."

Under this head we are compelled to place very dissimilar books, and we must now mention the "Slang Dictionary," a work which, in spite of its unattractive name, has excited much attention, and shows marks of a very laborious, if somewhat eccentric, research. An edition of this book was published four or five years ago; but it now appears in so much more complete a form as to deserve to be characterized as a new work. The object of the author, Mr. Hotten, is to define the meaning and investigate the origin of words and phrases used by Englishmen, whether in palaces or in hovels, which do not come within the range of an ordinary dictionary. At first sight this may seem rather childish; but those who examine the book will find that these expressions are not usually the inventions of mere caprice, and that some of them come from most unexpected corners of the earth. The book, therefore, assumes a philological value, and perhaps to a certain extent an ethnological value also. Many of the words are said to be "deducible from the *Lingua Franca*, which is a kind of bastard Italian, composed of French, German, Spanish, Modern Greek, and Turkish, and spoken at all the Mediterranean seaport towns. Others are derived from almost every conceivable tongue, ancient and modern, such as French, Dutch, German, Italian, Spanish, old English, our provincial dialects, Scotch, Gaelic, Erse, and even the Oriental languages—Arabic, Hebrew, Persian, Sanskrit, Malay, and Chinese. Not a few are likewise to be found in our old authors and Elizabethan dramatists; but they are not always used there in a slang or cant sense. Many of the vulgar names now given by thieves and street ruffians to several of our coins—such as, for instance, a 'hog' for a shilling, and a 'bull' for a crown or five-shilling piece—are, in reality, of remote and rather classical origin, and took their rise from the fact of the images of those animals being stamped upon ancient silver coins at a period anterior to the time 'when monarchs monopolized the surface of coined money with their own image and superscriptions.' 'Tester,' a slang name for sixpence, and formerly for a shilling, was the correct term in the time of Henry VIII. The compiler of the 'Slang Dictionary' ascribes the origin of many of our cant words to the peculiar 'lingo' of that singular tribe of vagrants, the gipsies, which name is supposed to be a corruption of the word Egyptian, from their having probably originally come from Egypt. He mentions several instances in his 'History of the Origin of Cant.'"

Works of Antiquarianism, Archæology, and the like, are not very numerous; but some of them are rather remarkable. One of these is "Leechdoms, Wortcunning, and Star-craft of Early England," by the Rev. O. Cockayne. Of this, however, only the first part, relating to "Leechdoms," has appeared. It contains a curious

collection of the prescriptions and superstitions of those who cured or killed our Saxon forefathers. But this is not all; the book is full of suggestion and comparison.

"A reader of Mr. Cockayne's Preface will come to the conclusion that the Gothic nations were mere herbal doctors, compared with the surgeons, and perhaps the physicians, of Greece and Rome. In some respects, the same difference continues. Our apothecaries call healing-herbs by ugly names, and they are, doubtless, more scientifically applied; but in surgery, we probably have made little real progress in advance of the ancients, who appear to have employed most scientifically-constructed instruments in the most terrible of operations. All that Mr. Cockayne writes on this subject will be read with the greatest interest."

"Of Saxon Leechdom, the reader of this volume will have a good idea, as well as of some phases of Saxon life which it illustrates. The subject of Charms is only commenced in this volume, to be continued in a succeeding portion of the publication."

"Memorials of Queen Eleanor" (i.e. Queen Eleanor's Crosses, as they are generally called), edited by J. Abel, is interesting to lovers of Gothic architecture. Mr. Abel endeavours to maintain the truth of the story that these crosses were erected as monuments of the conjugal affection of Edward I., which is pronounced by some writers to be a romantic fiction.

"Mr. Abel, to our surprise, ignores the well-founded belief of recent writers that the Eleanor Crosses were erected at her own cost, and he adopts the older fancy that they were monuments of Edward's 'conjugal affection.' The fact that all the accounts and charges for their erection were rendered to Eleanor's executors would seem conclusive on this point even if it stood alone; we have no evidence in favour of the opinion that the works were executed by command of the King. Altogether, with regard to Mr. Abel's text, we regret to find that he takes a sentimental rather than an historical, artistic, critical, or architectural survey of the subject. Had he brought insight to the examination of the 'fabric accounts,' we might have had a very curious picture of the arts of that age."

Of the twelve crosses that were erected (the first at Lincoln, the last at Charing), there are only four left; but all these four present some differences of detail. In elegance of design and beauty of execution they have, probably, never been surpassed; and since the revival of Gothic architecture they have formed the models for several works which have proved more or less beautiful pretty much in proportion to their comparative approximation to the original design. As a cross, intended to be an exact imitation, is now being erected very near the site of the original cross at Charing, we may hope that this beautiful example of mediæval work will descend to a remote posterity.

A Domesday Book for Dorchester (temp. Edw. III.) has recently been discovered in the Record Office, by Mr. J. Burt, and is said to be in very good preservation. The Rev. John Kenrick's "Archæology and History," as might be expected from the author's well-known accuracy and industry, is a valuable addition to the library of the antiquarian.

"His references are not only germane to the matter, but may be relied upon for their accuracy.

"Books, 'published by request of friends,' not unfrequently cause their readers to wish that the writers of them had been friendless, more especially if the gods have made them poetical. But Mr. Kenrick's associates in the Yorkshire Philosophical Society were well advised in 'wishing' him 'to preserve these papers in a permanent form,' accessible to persons who dwell in no one of the Ridings, and

far beyond the jurisdiction of the youngest of archbishops. The subjects, like the occasions of these papers, are various. 'Some of them were read at the monthly meetings of the Philosophical Society; others were lectures delivered to more numerous assemblages of the members.' Of the eight papers four have a local superadded to a general interest, inasmuch as they relate to the 'Knights Templars in Yorkshire,' to the 'Historical Traditions of Pontefract Castle,' and to 'Coins' and a 'Monument' illustrative of the Romans in that part of Britain. The other four papers may not be without attractive metal for general readers, although, from their contents, their direct interest will be for persons of like pursuits with those of Mr. Kenrick."

A very singular work has been published by Professor Smyth, Astronomer Royal for Scotland, on the Great Pyramid, showing how far the extravagance of hypothesis may carry a learned enthusiast. Part of his theory is, that a certain chest in the Pyramid, which has popularly been looked upon as a sarcophagus, was really intended as a standard of weight and measure, that the standard has reference to the dimensions of the earth, and that it was arrived at by Divine inspiration. It would take too long to explain here how he endeavours to support the theory by alleging curious coincidences for which nothing else (he says) will account; but we may mention one of these coincidences. The ratio of the height of the Pyramid to twice the base is very nearly the same as that of the diameter of a circle to the circumference. How, without inspiration, could the ancient Egyptians have arrived at the result of a modern scientific computation? A weekly contemporary very sensibly answers in effect, "Very easily, and without any calculation at all; simply by measuring a hoop round with a string, and then measuring the hoop across." This is an admirable answer; but most people will probably think that it is not required, and that the coincidence, to deserve any notice, should have been exact. It is not right that scientific men, on the strength of a high position, should endeavour to force crude theories on a helpless public. We shall perhaps be told, next, that the Aztecs knew the form of the earth, because travellers may have chanced to pounce upon an orange-shaped ornament in some old Mexican tomb.

Mr. Robert Ferguson, an experienced writer on names of persons and things, has given us a very amusing book about English surnames, in which he shows that the shortest and most common names are the most truly natural, so that a true patriot ought, on principle, to prefer the name of Smith to that of Delamere or Cholmondeley. He will scarcely succeed in suppressing our desire for grand patronymics, but he has produced a learned and amusing book.

"The collection of the Old German, Norse, and other Teutonic personal names from the first to the ninth century is of considerable value, and might be rendered much more useful if indexed with dates and nationalities.

"Altogether, apart from the theoretic etymology which Mr. Ferguson has laboured to build up, the book contains a variety of interesting references to the old Northern divinities, heroes, sagas, and history. The materials of the Teutonic name-system are very ably handled, and, if their application to English names is not satisfactory, it is not so much the fault of the author as of the subject. The book has the merit of being very entertaining as well as instructive; we have no doubt it will be popular, and it deserves to be read by all who take an interest in the very interesting matters of which it treats."

Such works on artistic and scientific subjects as appear most important will be mentioned in the subsequent divisions of this section relating to art and science respectively.



Proceeding now to the lighter branches of literature, we have to record that the "sensation novel" still holds considerable though not undisputed sway. Miss Braddon, who may be said to stand at the head of the sensational school of female writers, has published "Henry Dunbar" and "The Doctor's Wife." The latter is by some considered her best work, while others have criticized it with great severity. We read in one publication that—

"If the last part of the story deserves some blame, its earlier portions should meet with no small approval. Isabel's is an original character, and it is excellently drawn, forming by far the best picture which Miss Braddon has yet produced. And the interest of the story is allowed to depend upon this delineation, no sensational artifice being employed, until the middle of the last volume, to enthrall the reader's attention, and hurry him from chapter to chapter. The doctor is a good sketch, with his simple, unsuspecting character, and honest, manly heart. He is a great improvement on the husband of Madame Bovary, who is a poor, contemptible creature, and not even a good doctor. But perhaps the best personage of the story, certainly the most amusing one, is Sigismund Smith, the writer of sensational romance. He is a quiet, easy-tempered gentleman, incapable, except professionally, of any but the mildest ideas. But as a romancer he is addicted to the most horrible notions, perpetually creating the most fiendish characters, and uttering the most terrible of sentiments. Entirely wrapped up in his work, he sees in all around him the possibilities of a melodrama, and invests with a tragic interest every one with whom he is brought into contact. His description of the way in which he would have written the 'Vicar of Wakefield,' introducing into it a tremendous mystery, is replete with genuine humour, and some of his speeches are charming."

Another critic takes a less friendly view, and seems to think that Miss Braddon's novels are generally open to a good many objections, and that this one is no exception to the rule:—

"We are about to review the author's sixth novel, which, strange to say, has not appeared in a second edition a week before the date of announced publication. 'Lady Audley's Secret,' 'Aurora Floyd,' 'Eleanor's Victory,' 'John Marchmont's Legacy,' 'Henry Dunbar,' 'The Doctor's Wife,' make eighteen volumes in two years. There is no secret in the mechanism of 'The Doctor's Wife.' From first to last there is neither mystery nor an attempt at mystification. In this respect the tale differs from most of Miss Braddon's stories; but otherwise the book bears a strong resemblance to her previous novels. Indeed, its principal characters, incidents, and positions are reproductions of the old materials. Crime is the mainspring which sets the puppets in motion; the chief actors are vicious; and, at the close of the story, the moral teacher assigns impunity to one sinner, and wealth to another, just to encourage the others. Bigamy plays no part in the drama; but, as was the case in 'Henry Dunbar,' the heroine is the daughter of a convicted forger. After obtaining his liberation on a ticket-of-leave from Portland, this convict murders his child's lover, and makes good his escape to America. In addition to forgery and murder, the proceedings are enlivened by some *innocent* conjugal infidelity, and an *unsuccessful* attempt at seduction. By disappointing her heartless seducer, and making her false wife stop short of adulterous intercourse with the man whom she prefers to her generous and devoted husband, Miss Braddon lays claim to rank amongst writers of morality!"

Mrs. Henry Wood has brought out three novels, "Lord Oakburn's Daughters," and "Trevlyn Hold," and "Oswald Cray." Like Miss Braddon, Mrs. Wood has

the ear of the public, and whatsoever she writes is at once ordered at all the libraries. We do not profess to account for this; we only state the fact. It may be worth while, however, to our readers to read the following remarks, and consider whether they satisfactorily explain the success of rather powerless and not very well written books.

"Both Dickens and Thackeray have no power of constructing a plot; the one because he aimed at too little, the other because he aims at too much. George Eliot, Currer Bell, Miss Braddon, and Trollope are all apt to sacrifice the thread of their story to delineation of character. Bulwer and Wilkie Collins are about the only living English novelists who know how to work out a plot of which the practised novel-reader does not know the end before he has read the first half-dozen chapters; and a like talent, though in a very inferior degree, is to be found in the lengthy series of novels which began with 'East Lynne,' and has terminated, until further notice, with 'Lord Oakburn's Daughters.' As far as our knowledge of these books extends, the central idea of every one of them is an undetected crime; and the whole skill of the story consists in the manner in which that crime is brought home. Murder is the subject-matter of 'East Lynne,' 'Verner's Pride,' and 'Lord Oakburn's Daughters'; bigamy of a novel whose name we cannot now recall; embezzlement of 'The Channings' and 'The Shadow of Ashlydyat;' and so on. In fact, Mrs. Wood's novels may be said to belong to that order of 'detective' literature which has of late become so popular amongst us. The reports of Müller's trial raised the circulation of the London papers to an almost unexampled height; and so, somehow or other, the public mind feels an inexplicable interest in the unravelling of any tale of crime or mystery. We do not blame Mrs. Wood for availing herself of the taste of the day. If people wish for expurgated editions of the Newgate Calendar, toned down so as not to offend the most delicate propriety, why not provide them with what they want? The demand is great, and the supply equal to it."

Whether this reasoning be correct or not, there is no doubt of the fact that a novel of the sensation school can always command a large circulation. If any of these books should escape the waste-paper basket for fifty or sixty years, our grandchildren will probably be astonished at our taste, even as we wonder at the fashion which made the voluminous Richardson the idol of a past generation.

We have mentioned the above novels in deference to the public, who, for some reason or other, take a pleasure in reading them; or, at any rate, *do* read them. For another reason—respect for the distinguished deceased authors—we have to chronicle the last works of Mr. Thackeray, and of the American writer, Hawthorne. Mr. Thackeray's fragment, consisting of the first three chapters of a projected story called "Denis Duval," was published in the "Cornhill Magazine." Mr. Hawthorne's little story, entitled "Pansie," is more complete in its structure, and consequently it represents more fairly the characteristics of its author. It is scarcely likely that posthumous fragments, which, in all probability, have not received the finishing touches, can add to an already well-earned reputation; but the public would not readily forego the opportunity of forming a judgment of the last efforts of a favourite author. One of the most masterly poems of antiquity was left unfinished in parts, and its author ordered that it should be destroyed. If his commands had been obeyed, nothing of the *Æneid* would have descended to us except the name!

Mrs. Oliphant's "Perpetual Curate," part of the series entitled "Chronicles of Carlingford," has been generally read and admired. At the same time the author has laid herself open to criticism by selecting a subject with which she was im-

perfectly acquainted; and it has been pointed out that she imagines perpetual curates to be curates in the ordinary sense of the word, and is not aware that they are in fact incumbents of livings. Mr. Edmund Yates, a well-known writer in magazines, has written a novel called "Broken to Harness," which has met with considerable success. Mr. Mark Lemon, also a veteran *littérateur*, and well known for many years for his connexion with "Punch" (and also as a distinguished dramatic author), has appeared late in life as a writer of fiction, and his last novel, "Loved at Last," has been very well received. "Margaret Denzil's History" has excited sufficient interest to have been attributed to several well-known personages in turn; among others to no less august a person than Her Majesty. These idle rumours are now dispelled, and the book is said to be written by a new aspirant to literary fame. A little novel called "Askerdale Park," by a clergyman, has attracted notice by the remarkable boldness and ingenuity of its machinery, though it is not a work of great finish.

"The Small House at Allington," by Anthony Trollope, first published (like a great number of the novels of the day), in the numbers of a monthly periodical, has come out in a collective form, and is considered to be worthy upon the whole of the reputation of its author. But writers who are very prolific are apt to fall into errors arising from haste and carelessness, and the following observations (evidently from the hand of a sincere admirer of his talents) may be worthy of Mr. Trollope's attention:—

"Perhaps the greatest proof of Mr. Trollope's ability is the tone into which we inevitably glide in discussing his works. It is impossible to avoid speaking of his personages as of real men and women. For the last year Crosbie has been as much a public character as Lord Palmerston. It is almost as though a column of the daily journal had been regularly devoted to the consideration of his affairs. Mr. Trollope's pages have been perused rather as news than as fiction, with something of the same feeling as that with which we welcome the communications of an intelligent foreign correspondent. The drawback to so great an advantage is the tendency of such a writer to indulge in mere gossip. Human life does not arrange itself like a novel; its seasons of exciting interest are episodic, and the intervals are occupied by comparative trifles, whose relation to the general plan of existence is not easily perceptible. It is the business of the narrator to prune away the non-essential, to knit the periods of interest and activity together, to add, omit, or transpose incidents with a view to the significance of the whole. Mr. Trollope would rank higher if he were less of the mere chronicler—if more of the hand and will of the author were visible in his work."

Mr. Charles Reade's "Very Hard Cash" was republished early in the year, having originally appeared in "All the Year Round." Mr. Reade, in most of his stories, advocates a cause or attacks an abuse. In this his last work, he made so fierce an onslaught on the managers of private lunatic asylums, that his book, though put forward as one of the greatest attractions of the magazine, called down a storm of hostile criticism. It must be recollected, in justice to Mr. Reade, that some appalling cases of cruelty and neglect had recently come before the public; but it may probably be answered that in these instances the unfortunate lunatics were not found in regular asylums.

Mr. Dickens's serial story, "Our Mutual Friend," is progressing month by month; and Mr. Wilkie Collins has commenced in the "Cornhill Magazine" a story called "Armada." On these at present it would be premature to make any further observation. Mr. C. A. Collins, a brother of the last-mentioned author, has been writing rapidly, having brought out two novels during the past



year. Mr. C. J. Collins, who is, we believe, another brother of Mr. W. Collins, has also brought out two novels since the commencement of the year 1864. This excessive haste is not usually productive of good results. Mr. Thomas Adolphus Trollope, whose name is becoming nearly as well known as that of Mr. Anthony Trollope, has published a novel called "*Lindisfarn Chase*," which we find described as "a good novel, with an entertaining plot." Mr. J. C. Jeaffreson (whose "*Life of Robert Stephenson*" we have mentioned in its proper place) has added "*Not Dead Yet*" to the rapidly swelling list of his works of fiction. Of this a critic says:—

"Mr. Jeaffreson's talent has certainly gained in ripeness and fulness of flavour, like fruit on a wall in a sunny aspect. His present novel is in every respect satisfactory; it has a well-contrived, well-built-up plot; it is carefully written; no part of the work is slurred or sacrificed to make a situation or to obtain an effect. The writer has evidently taken pains, and there is much good work put into the book which has a solidity and force that impress the reader with a sense of the reality of the story. We have read it through with interest, and can recommend it to our readers. The story turns upon a remarkable course of generous self-sacrifice; the effect upon the reader is to make him feel it to be a noble thing 'to suffer and be strong'—not in the least depressing, as many tales of self-sacrifice are made. It is a healthy, pleasant book; the heroism is treated as a simple matter of doing one's duty, the difficulty consisting in the perseverance, which indeed is the greatest difficulty in all undertakings—'the crown of life' itself being promised in Scripture to those who 'endure to the end.'"

It becomes our duty, lastly, to record the publication of two novels by authors hitherto unknown, but who have at once, without previous introduction, made an impression that will not soon be effaced. "*Abbot's Cleve*," by an anonymous writer, possesses all the claims to popularity that we can imagine the sensation novelists to have, inasmuch as the main incident of the plot is a case of secret poisoning, and the crime is perpetrated in so skilful and delicate a manner, that the blame is at once thrown on the wrong person. But the after-plot, in which the devoted lover of the accused heroine succeeds by slow degrees in finding out the actual perpetrator of the crime, is so thoroughly and carefully worked out, that the book has a really artistic merit which very few novels of this class can claim. This book was at once hailed by the critics as one which showed a determination to cope with the sensation novelists on their own ground, and to prove that if their peculiar style of plot was to be used, it might at any rate be used with good taste and consistency of detail.

The other new work of fiction to which we would allude—new at least to the public in England, though previously published in the "*Delhi Gazette*"—is Mr. Illtudus Thomas Prichard's novel, founded on the events of the Indian Mutiny, entitled "*How to Manage It*." The title at once suggests the figurative meaning of the author; it is a tale of mismanagement; a tale which, without attempting to fix on any particular person or spot, gives the readers to understand very clearly that the Sepoy Rebellion was brought about by our own faults; or rather, was allowed to come to a head by our own blindness and misplaced confidence. It is a singular thing, that Mr. Prichard hits upon precisely the same circumstances as causes of the Mutiny that were prophetically mentioned nearly sixty years ago by the Duke of Wellington as being likely to lead to a crisis in the Indian Peninsula. Of course the Duke could not predict that the revolt would take the form of a Military Mutiny, for in his time we had a much larger number of European troops in India, in proportion, than we have had since. But the Duke said as clearly and distinctly as he ever said any thing, that we must either greatly increase our

European force, or discontinued our policy of annexing new provinces, and of depressing the friendly native princes. Instead of this, we compelled our so-called allies, Scindiah, Holkar, and others, to maintain contingents of our native army; we annexed rapidly; and we reduced our European force to a minimum, relying almost entirely on the Sepoys, who, we fondly imagined, were attached to their officers, and would follow them to the cannon's mouth at all hazards. We forgot that these Sepoys were of an alien race; we forgot that they were Hindoos or Mussulmans in religion; and we were foolish enough to think that because they cringed to us with humble salaams, they had forgotten their nationality and their creed. In the case of the Mussulmans, at least, it was a part of that creed to consider the extirpation of the Christians a duty, and we cannot be surprised if they made tools of the Hindoos, and took us unawares when we most illogically believed ourselves to be secure in our moral influence. "These men are attached to us," was the cry, and many a gallant officer fell dead with a bullet in his heart while those very words were passing through his mind. Mr. Prichard was an officer in the Company's service, and had to run the gauntlet like the rest. He was shot at, together with the other officers of his regiment, by the faithful Sepoys on parade, and he and his fellow-officers had to save themselves by galloping away as fast as their horses could carry them. Luckily they were well mounted, and all, or most of them, escaped. Mr. Prichard has given us reason to congratulate him on his safety, by presenting us with the most earnest and instructive, and, in a literary point of view, certainly far the most promising novel of the day. We should have some hesitation in writing so strongly on the merits of "How to Manage It," if we were not supported by the universal verdict of the critics. The "Spectator" at once described Mr. Prichard's book as "a very striking historical novel, giving far the most vivid picture of the Indian Mutiny as yet presented to the public." The "Reader" honoured Mr. Prichard with a very elaborate review, written (as the initials at the foot of the article attests) by a gentleman who is known to be familiar with Anglo-Indian society and its peculiarities, in which every sentiment of the author was endorsed and corroborated. Every subsequent notice that has appeared is more or less in favour of his views, and even those critics who slightly differ from him in opinion, are unanimous in praising his ability and honesty of purpose. It is fortunate that "How to Manage It" has been published just at the present time, for the Indian Mutiny, first an absorbing topic of immediate anxiety, then thrown aside for new subjects of discussion, is now coming again to the foreground as a question for historical and philosophical inquiry. Moreover, India is now our own, and is no longer the property of a limited corporation. New fields of industry are being opened up, and our eastern empire promises, ere long, to become a subject of general interest. Mr. Kaye's history and Mr. Prichard's novel are among the first tokens of this rising popularity, and we have thought the novel in question worthy of so long a notice partly for this reason, and partly because it is the most successful *début* made by a new writer of fiction for a good many years.

The last novel that we need mention is Mr. G. A. Sala's "Quite Alone," in connexion with which a ludicrous incident may be recorded. This novel was in course of publication in "All the Year Round," when Mr. Sala was travelling in the United States as special correspondent of the "Daily Telegraph." The uncertainty of postal communication prevented the author from remitting the manuscript regularly, and the editor, feeling that the public must not be trifled with, was obliged to get the story finished by another hand. In the mean time Mr. Sala had finished the novel in his own way, and on his arrival in England he found that the book was

published with a totally different *dénouement* from that which he had designed. Those personages that he had intended to kill were made to live well and happily to the end, while those for whom he had chalked out a bright career were ruthlessly doomed to destruction. Mr. Sala promises a second edition, to be completed in accordance with his original plan, so that in all probability two novels called "Quite Alone" will be handed down, to the great bewilderment of posterity.

A new volume of poems from the hand of Mr. Tennyson is sufficient in itself to mark the year as one of importance in literary annals. Without discussing the merits of the Poet Laureate, we must accept the indisputable fact that in the opinion of the majority of his countrymen he stands in the first rank of poets, and that a large proportion of his readers esteem him second to none. Thus the appearance of "Enoch Arden, &c.," was hailed with extraordinary enthusiasm, and for some time it was not easy to go into any drawing-room without finding the little green volume on the table, or to travel many miles in a railway carriage without seeing some traveller take it from his pocket. One of the poems, "The Northern Farmer," is written in a provincial dialect, that is to say, the language and spelling are such as to copy as nearly as possible the idiom and pronunciation that would be used by a home-bred rustic. The public have long been familiar with poems from other hands in the dialects of Devonshire, Yorkshire, &c.; but this is probably the first instance in which a first-class writer has given an entire poem in the dialect of a remote county. At the end of the book there are several "Experiments" in the form of short poems, written in classical metres. Such things can only be looked upon as a kind of *jeu d'esprit*, for the accentuation of English words forbids their legitimate employment in the metres which the Roman Horace brought to such exquisite perfection. A translation of a portion of the Iliad into blank verse is said to be so skilfully done as to induce a hope that Mr. Tennyson will make further efforts in a style of composition very often attempted, but seldom satisfactorily executed. In a little poem in hendecasyllabics, Mr. Tennyson indulges in a tilt at reviewers, which is decidedly uncomplimentary to that class of writers, but has been received by them with tolerably good humour.

Lord Derby's Homer has been already mentioned under the head of Philology, but as a poem it lays claim to notice also. It will be sufficient, however, to say that the author's brilliant reputation has ensured for it a fair success, and that it may be reckoned among the noteworthy productions of the year.

In the eyes of most lovers of contemporary poetry, Mr. Browning comes next to the Laureate. He has published a volume called "Dramatis Personæ," which has been thus described by a critic:—

"Mr. Browning's new poems are not likely to produce any immediate effect upon the reputation he has already acquired. They will be received with rapturous admiration by the circle of thoughtful and cultivated readers who have already made him 'the god of their idolatry;' but they will scarcely succeed in overcoming the distaste of those who have hitherto found themselves unable to appreciate his peculiar genius. There are many real lovers of poetry which does not soar too high above their heads, who feel hurt if they are asked to listen to what are not 'easy things to understand.' They expect the stream of verse to flow always clear as crystal, so that they may see at a glance the gold and gems which decorate its bed, and the beings of beauty who sport beneath its waves. Mr. Browning reminds them unpleasantly of a mountain torrent, swiftly swinging along discoloured waters, and only here and there allowing a momentary glimpse to be caught of a glittering form, a gleaming shape. To them the greater part of the present volume will prove



utterly unintelligible, and the lucidity of its remaining portion will fail to reconcile them to the obscurity by which they will consider it encompassed. But those who are not equally unaccustomed or averse to mental exertion, and who are not easily deterred by the difficulties which hedge around almost every truth that is worth discovering, and especially those who in reading poetry, far from wishing to have every image brought before them blazing in the full sunlight, rather prefer 'to see an idea looming through the mist,' will find much that is wise, much that is beautiful in Mr. Browning's latest utterances. Their subjects embrace some of those which are worthiest to arrest our attention, and to occupy our thoughts. The endless struggle of man with adverse fate, the constant longing for happiness so seldom gratified, so often unfulfilled, the ever-renewed contest in the human mind between faith and doubt, the yearning of the soul towards the unseen world, such, together with many of the ordinary joys and sorrows which chequer life's career, are the themes which Mr. Browning treats. With two exceptions, the poems are soliloquies, and with his usual dramatic power he has given life to the persons to whose voices he wishes us to listen, while at the same time he enables us to see far through their outward semblance into the inmost workings of their hearts. In the three most important pieces he dissects as many forms of belief; the lowest, in which the savage or the bigot grovels before the power he worships with servile fear; the highest, in which perfect love casteth out all fear; and the creed of shameless egotism, the negation of belief in aught but self."

A collected edition of the poems of the late W. M. Praed has been published, and has been received with the interest which naturally attaches to a name well known in the literary world for more than a generation. A translation of Tasso's "Jerusalem Delivered" has been brought out by Sir J. K. James, and a portion of Dante's "Divina Commedia" has been translated by a lady.

"Mrs. Ramsay has done her best, and done it carefully, conscientiously, and well. We congratulate her on the conclusion of her loving labours, and on the success which was alone possible. She has given us in some places the words of Dante, in others his meaning; many of her verses are flowing, graceful, and full of harmony, as suited the subject. The notes occupy one-third of the volume, and are very satisfactory; they show much reading and well-directed research."

It has become the custom, of late years, for writers in the quarterly reviews and other periodicals to reprint their articles in a collective form. The experiment was first made by writers of great celebrity, as for instance, Macaulay; but others have followed the example, and scarcely a year now passes without the issue of one or more works of this kind. Books of essays, therefore, have become an interesting branch of literature in themselves, and it is necessary that we should mention one or two that have recently appeared. Mr. T. E. Kebbel, a gentleman who holds Conservative views, has published "Essays upon History and Politics," most of which are reviews of lives of distinguished English statesmen. Of these a contemporary writes:—

"Mr. Kebbel says modestly, that his essays are not 'distinguished by any such peculiar merits as to place them above the average standard of periodical literature.' This is paying a compliment to the average."

Mr. Nassau W. Senior's "Essays on Fiction" were in the press when he was seized with a dangerous illness which, we regret to say, ultimately carried him off.

"The Essays are reprinted from the 'Quarterly,' 'Edinburgh,' 'London,' and 'North British' Reviews, and range from the year 1821 to the year 1857. The subject of the first is Sir Walter Scott; of the second, Colonel Senior, author of 'Charles Vernon' (we suppose a relation of the critic); of the third, Sir Edward

Bulwer Lytton; of the fourth, Mr. Thackeray; and of the fifth and last, Mrs. Beecher Stowe. The essay on Sir Walter Scott is a combination of several articles on his various novels, written from time to time; and it is curious to read the current criticism of the day, on tales which have now been standard works for years, published when those works were fresh from the press. Otherwise, we do not see much in the article to warrant its reproduction. It is a good average review, sensible and well written, but not brilliant or profound. The criticism on Bulwer is of a higher kind, composed at a much later day, and showing evidences of a more matured and thoughtful mind. The observations on the faint, sickly idealisms in which the author of 'Zanoni' is fond of indulging, are excellent, and effectually dispose of the false principles of art on which the novelist often works."

"The most interesting article in the volume is the one on Mrs. Stowe, which includes an account—very curious at the present time—of the condition of the slaves in the Southern States of America, and of the excitement of the North upon the election of Mr. Buchanan in 1856, when some of the abolitionists threatened to secede, as the South has now done in consequence of the election of Mr. Lincoln."

Mr. Sala's active pen has given us "Pictures done with a Quill;" and the author who adopts the *nom de plume* of A. K. H. B., has published two volumes. There are several other collections, but we must conclude our list by mentioning the most important of all, the "Essays on the Administrations of Great Britain from 1783 to 1830," by the late Sir G. C. Lewis. Of course most readers will dissent from some of the views of the author, especially, perhaps, where he argues against the policy of the Peninsular War—that war which trained our soldiers, revealed to us who was the greatest General of the age, and prepared us to conquer the reckless usurper in the final struggle at Waterloo—but in spite of any difference of opinion, the work will be read with interest and advantage.

"It will be found an invaluable companion in the study of the political history of an eventful half-century, while it increases our admiration of the finely balanced mind and the generous nature, which have enabled the author to treat with historical dignity, calmness, and justice, the men and the events of a time in which statesmen still living have played prominent parts."

Among books of a miscellaneous character, which we have been unable to place under any particular head, may be reckoned those on "Spiritualism," a subject which will have votaries so long as it has professors, since people like to wonder even though they may scorn to believe. The most notorious books on this subject are Mr. Thomas Brevior's book, "The Two Worlds," and the "Biography of the Brothers Davenport."

"Mr. Brevior goes over the same ground that has been traced so often before. He describes the Supernaturalism of the ancient Hindoos, Egyptians, Greeks, and Romans, and of mediæval and modern times; he discourses of witchcraft, guardian angels, and ministering spirits; and he tells us once more the old stories of ghosts, prophetic dreams, mysterious knockings, &c. Such relations will always interest; and the collection here put forth is undoubtedly fascinating, simply considered as a set of marvels. But when the author begins to discuss the theory involved in these tales, he exhibits the same inability to argue reasonably that we have noticed in a good many others holding the same views. In his introduction, he quotes passages from various writers in support of the belief in what is called Spiritualism; and it would be difficult to find within the same compass, a greater amount of illogical deduction and wild assumption.

For instance, Dr. John Campbell says, in answer to the question '*Cui bono?*' often asked by the disbelievers in these wonderful stories: 'We deny our obligation, as a condition of rational faith, to prove the *Cui bono*. It may exist where we see it not, and have important ends to accomplish with which we are unacquainted.' This is very sophistical. Where a fact is indisputable—where it is admitted on all hands, and it is never a subject of dispute at all—the inability to give a reason for its existence cannot affect our belief in the least. We may fairly suppose that there is some reason beyond our perception; indeed, the fact itself is reason sufficient for our credence. But when a small minority of human beings address the vast majority and say, 'We have had a special revelation vouchsafed to us individually, quite opposed to your own experience, but for which nevertheless we require your belief,' the majority have a right to put certain questions."

The Brothers Davenport are two men who have been exhibiting themselves to the curious in such matters, and have certainly given very surprising performances. One of their feats is to allow themselves to be tied up with a long rope that is coiled round every limb, and then to free themselves without assistance in a few minutes. Another is to cause musical instruments to hover about the room and give out sounds without any apparent human agency. As to the first trick, it is now perfectly well known that it is an ordinary conjuror's feat, although the "Brothers," probably from long practice, appear to be more skilful in it than other *prestigitieurs*. With regard to the wafting of musical instruments, it is sufficient to observe that it is done in a darkened room and under certain conditions imposed by the exhibitors. A good conjuror is no great rarity at the present day, and it is not likely that these "Brothers" would have excited any extraordinary interest but for their impudent assertion, published in the "Times," that the tricks were performed by some mysterious power which they possessed without knowing whence it came! This occasioned a storm of correspondence, and hence the notoriety which has led to the publication of the "Biography." The book, compiled by a person of the name of Nichols, has been useful so far as this, that it has enabled one or two of the weekly periodicals to amuse their readers with funny articles. As regards this class of books generally, we may quote the following observations: "We cannot point to any of these works as containing a philosophical exposition of the principles of 'Spiritualism.' They simply consist of a number of foolish stories (some of them extremely old, and some long since exploded), and of very ineffectual attempts at argument, which resolve themselves into begging the question and abusing the other side."

A work called "Her Majesty's Mails," by Mr. William Lewins, is interesting and instructive. If European civilization should ever receive, from the inroads of barbarians or from any other cause, as severe a shock as that which shattered the Roman system many centuries ago, the civilized races who rise up two thousand years hence may wonder as much at the perfection of our postal organizations as we do at the *Cloaca Maxima*, or at any of the wonderful works of Grecian art of which so few complete specimens remain. "As a history of the postal system, and a description of its present condition, Mr. Lewins's book leaves little to desire." The "Letters of a Competition Wallah," by a son of Sir Charles Trevelyan, has excited some interest, partly because of the well-known public services of Sir Charles, and partly from its intrinsic value. It purports to give a picture of the present state of Anglo-Indian society, as distinguished from that which existed during the rule of the Company, and before appointments in the Civil Service were given by competitive examination. The success of this book, slight and sketchy as it is, is another indication of the increased interest that the public are



beginning to take in matters connected with our Eastern empire. Dr. J. W. Draper, a gentleman who writes both M.D. and LL.D. after his name, has published a valuable work entitled "History of the Intellectual Development of Europe." It is founded on papers read before the British Association, and was published some time ago in America. It is fortunate that, as the late lamented Mr. Buckle did not live to finish his work, we have so soon got another very satisfactory book in its place. It is remarked as a fault in Mr. Draper's work that he gives no references to authorities. This is a peculiarity which he shares with many French writers, and he would also appear, in common with authors of the Gallic race who aspire to write *en philosophe*, to be rather fanciful. "The main purpose of Dr. Draper's book is to show that the progress of humanity is according to law, and that the life of earth, the life of the individual, and the life of society, all move onwards towards that same development. The progress of the individual corresponds, in accordance with this view, to the biography of the earth."

A remarkable work, "The Story of the Guns," has been written by Sir J. Emerson Tennent. The controversies between the various construction of rifled ordnance, and the like, as to who was the first inventor of particular improvements, will be of little interest to posterity; but as a link in the history of a wonderfully rapid development that is now going on in one of the most important branches of military science, Sir J. E. Tennent's work will claim attention as long as the pursuits of war are necessary to national safety.

We have now only two or three more books to mention as coming within the "miscellaneous" category. The first is Mr. Foss's "Judges of England," of which Vols. VII., VIII., and IX. have been published. "As a compendious and useful record of judicial existence and of legal biographies, Mr. Foss's work may be gratefully accepted."

The "Diaries of a Lady of Quality," edited by Mr. Hayward, Q.C., is a selection from the reminiscences of Miss Frances Williams Wynn, a lady of one of the most ancient and respected Welsh families, and highly connected in England, who mixed in aristocratic circles in the early part of the present century, and has left an amusing collection of anecdotes and descriptive episodes. Somewhat similar to the last-mentioned book, but a century older, is the "Diary of Mary, Countess Cowper," a lady of the bedchamber to the Princess of Wales (afterwards Queen of George II.) and wife of the celebrated Lord Chancellor Cowper. Lady Cowper's recollections take us naturally into a higher sphere than those of Miss Wynn, and although they do not relate to one of the most interesting periods of English history, they are sufficiently entertaining to have called forth expressions of gratitude to the family for allowing them to become public property.

From a comparison of Messrs. Longmans' Catalogue of Periodicals, &c., corrected up to January, 1864, with that for January, 1865, it appears that 74 periodicals of all sorts have disappeared during the past year, and 103 new ones have arisen. Taking the balance, we find that the number of periodical publications has increased by 29, which, added to the 743, the number for the year 1863, makes a total of 772. Among those that have ceased to exist there are few of any very general interest. Perhaps, however, we may except from this observation the "Home and Foreign Review," which possessed some able writers, but was, we presume, unable to make head against the large number of competitors. The "Dial," another defunct publication, is, we believe, amalgamated with the "Star." The others were mostly papers and periodicals of a temporary nature, or addressed only to a particular profession or a special class of readers.

Among the new publications there is a large majority which come within the

class last alluded to. There are one or two, however, that are likely to gain more general attention. "The Englishman's Magazine," published by Rivingtons, is a Monthly Journal of "Religion, Literature, Science, and Art;" and while its programme shows that it claims an equal position with existing magazines in secular matters, it has this special feature, that it treats of Religion and the Church not only as an essential, but as the most important subject. "Johnson's Dictionary," by Latham, is brought out in Monthly Parts, but it has been mentioned more fully in the part of this article devoted to the record of important books. "Our Mutual Friend," Mr. Dickens's serial story, is included in Messrs. Longmans' list; and this fact shows at once how difficult it is to gather from such a list a correct idea of the number of periodicals properly so called. With a little more care and arrangement this Catalogue might be made much more useful than it is at present. "The Young Englishwoman" is the last new publication that we need mention. We understand that Mr. Beeton proposes to bring out a companion publication which would probably have been called "The Young Englishman," had not Messrs. Rivington adopted a very similar name for their monthly publication above mentioned.

It will be observed that the statistics of periodicals are not confined strictly to the limits of the year. The Catalogue is "made up to January," and it consequently includes a few works announced in 1864, but which really belong to the present year. At present there are no sufficient data for more accurate figures, but the slight summary that we have been enabled to give will probably convey a fair idea of the wonderful activity with which this branch of literature is now conducted.

In our first Literary Retrospect, published in the "Annual Register for 1863," we endeavoured to give a compendious picture of the numerous periodical publications and their various functions. It is not necessary to repeat this feature every year, but we shall always endeavour to seize upon any prominent feature that has not been mentioned before. Such a feature exists in the present position and influence of the weekly literary periodicals, which have now to a great extent assumed the office formerly occupied by the quarterly journals, of directing the public taste in Literature, Science, and Art. One of the most successful of these is the "Saturday Review," which, by maintaining a staff of able and spirited writers, has earned the character of being the most sprightly weekly publication of the day. In one respect, however, the "Saturday" stands on ground of its own, and must be distinguished from those to which we shall allude afterwards. It relies for its success principally on pungent articles relating to political and social matters; and its system of reviewing consists in selecting those works only, which (because they are either very good or very bad) will best enable the writer to contribute an amusing article. Under these circumstances, although its opinions have weight, it is looked upon as a less strictly didactic periodical than those which we are about to mention.

The "Athenæum" is purely a Journal of Literature, Science, and Art, and, having existed almost alone for many years in its particular sphere, it may be considered to have encouraged others by its continued success to make efforts in the same direction. It must be looked upon as the parent of this kind of literature, and, although numerous rival publications have been brought out from time to time (many of which have lasted for a year or two and then ceased to exist), it continues to hold the same position that it occupied many years ago.

The "Reader," like the "Athenæum," is purely a record and review of Literature, Science, and Art. It was founded two or three years ago, by several learned

men of well-known reputation in special subjects, who associated with themselves a number of young and energetic writers, chiefly of the legal profession. The "Reader" adopted the novel plan of printing on the cover the names of its principal contributors, and placing the initials of the writers at the foot of the more important articles. No doubt this idea was a good one, with a view to immediate circulation; for those who would hesitate to purchase a new and unknown periodical, and say they had quite enough to do without reading all the new things, would willingly turn over the pages to look for the signature of Charles Kingsley, or F. D. Maurice, or Thomas Hughes. It is perhaps doubtful whether such a system can be advantageous to a publication that has once made its name. Probably many of the most brilliant articles in the "Times" have been written and admired throughout the land, before the writer of them had made a name. This is, however, purely a business question; and the "Reader," which has now been formed into a joint-stock company, will probably discuss it with a satisfactory result.

The "London Review," like the "Saturday," comments on passing events; but *quâ* Review, it resembles the "Athenæum" and "Reader," as it notices all the books that come out, and gives regular reports of artistic exhibitions, proceedings of scientific societies, and the like. It is conducted in an earnest spirit, and this winter it presents a new and valuable feature. The last number for December and the first number for January contain a compendious but careful summary of the literature, science, and art of the past year, including the lyrical and general drama.

The newspaper press must not be entirely passed over, in considering the sources of literary and artistic information. Apart from the notices of theatrical pieces, concerts, and the like, most of the Daily and Weekly papers now give reviews of the most important books from time to time; and thus a large portion of the public, who have little leisure for study, are, nevertheless, enabled to keep up a certain amount of acquaintance with topics which are deemed a part of the intellectual capital of every well-educated Englishman.

## ART.

The activity of those who cultivate the arts, for the amusement and edification of the rest of the community, has in no way diminished since we published our Retrospect for 1863. Apart from the principal exhibitions which most people of any cultivation consider it a duty to visit once or twice, there are several minor features of the year which deserve a record both from the intrinsic merit of the productions and in the interests of the branch of art which they illustrate. We shall endeavour, as before, to give a fair picture of the artistic performances and progress of the year, though it would be beyond our scope to attempt a minute criticism of all that may justly be deemed worthy of note.

The British Institution opened early in the year for the exhibition of modern pictures. A weekly contemporary says, "Taking into account the small number of good pictures to be found in Pall Mall, our examination of this exhibition need not be otherwise than brief. To sum up, in a few words, the character of the present display, we may declare that it is inferior in every respect to most



of its predecessors." This opinion is corroborated by the verdict of other critics; and considering that artists evidently do not think it worth their while to send their best pictures to a small gallery at a dull time of the year, it becomes a serious question whether the Institution would not do well to turn its energies into some other channel. It may be mentioned, however, that on this last occasion Sir Edwin Landseer honoured the Institution with a spirited contribution, a large picture of dogs, which he called, with his usual quaint fancy, "Well-bred sitters, that never say they are bored." Later in the year, the annual exhibition of old masters opened with less than its ancient *éclat*. The increase of Dutch pictures and the gradually diminishing number of great Italian works are significant facts which seem to show that those who were once proud to send their best pictures to Pall Mall are getting tired of the trouble and risk. It must be admitted that the good-nature of Amateur collectors has been severely taxed of late years. What with the Manchester Exhibition, the International Exhibition of 1862, the South Kensington Museum, and the ever-recurring demands of the British Institution, the galleries of our art-loving nobility and gentry must be subjected to constant importunities. It is time that these matters should be reduced to a system. The English aristocracy are liberal enough in lending the treasures of their galleries, but constant gaps must necessarily become eyesores in time. Could not some ingenious person organize a scheme by which the owners of pictures could gratify the public desire in a methodical manner, without being subject to irregular calls, first from one quarter and then from another?

The Society of British Artists offered no very remarkable features, except in the prominent positions taken by one or two artists, not previously well known to fame. Mr. Denby's picture, of the King of Moab sacrificing his son, is a large and striking work on a subject which certainly offers great opportunities. Mr. Tissot, a Flemish painter, occupying a different field, has distinguished himself by his power of depicting character and scenery. The number of paintings at this exhibition was very great; exceeding, in fact, that of the pictures exhibited at the Royal Academy; yet, with the exception of two or three promising works here and there, this exhibition failed to present any object of enduring interest.

The Architectural Exhibition, in Conduit-street, is now a recurring feature of the spring, and in the same building the Architectural Photographic Society now exhibits its collection. Up to this time it is in architectural subjects that photography has gained its greatest triumphs. As yet it fails (chiefly from the impossibility of securing a "good sitter") to record the human facial expression with any approach to certainty; while for landscapes its tints are unpleasing, and it is very much at the mercy of the elements. In copying architecture neither of these objections hold, and it is only in this branch that it can be said to rival at all the cunning of the human hand. The Society above mentioned is untiring in its efforts, and each year, as the spring comes round, large packages of magnificently executed photographs arrive from various quarters of the world. *Apròpos* of the subject of the Architectural Exhibition, we may mention that the Royal Institute of British Architects now publishes its Annual Transactions, which it formerly circulated only among the members. This measure has aroused the jealousy of a well-known semi-architectural publication; but the Institute is now too firmly established to find it necessary to submit to dictation.

The French Gallery opened early in the year, and presented a striking con-

trast to some of our English exhibitions. This year (as well as last year) we had to lament the absence of any work by Madlle. Rosa Bonheur; but the works of Leys, Frère, M. A. Stevens, M. Israëls, Gallait, Gérôme were conspicuous, and the Gallery presented something like a new feature in the unusually large number of grave historical pictures that it contained. M. Gallait's picture of Counts Egmont and Horn will be remembered by all who visited the Foreign Gallery at the International Exhibition, of which it was a painful but acknowledged attraction. The painter continues his illustrations of the same historical period, and his ideas are always striking, though a certain roughness of treatment and violent straining after startling effect must be considered in some measure to detract from his merits as a true artist. The picture which upon the whole attracted most attention, was M. Gérôme's "Barge on the Nile," of which the striking atmospheric effects made it the most brilliant ornament in the Gallery. M. Frère's "Saying Grace," though small and inobtrusive, is eminently characteristic, and wins all hearts by its truthful simplicity. The "Athenæum" describes the French Exhibition as a "noble collection."

The Society of Female Artists, a Society of recent origin, is acquiring an improved and settled position. It is not surprising that, as stated in our summary of last year, a limited exhibition of this kind should have been imperfect at first. "At last the ladies have established a right to applause. . . . The improvement visible at the present gathering is precisely in that respect which is the most desirable, and hitherto the least commendable, i. e., figure painting." This exhibition is also remarkable for the large number of excellent street and architectural paintings that it contains.

The Society of Painters in Water Colours opened its exhibition with considerable *éclat*, and, albeit this Society goes popularly by the name of the "Old Water Colour," it shows, as yet, no symptoms of decrepitude. On the contrary, it continues to recruit its strength by valuable accessions. Among the artists whose works were most conspicuous last year were Mr. A. and Mr. G. Fripp, Mr. F. W. Burton, Mr. J. Gilbert, and the late Mr. Hunt, who was represented by numerous works fully worthy of his reputation. Mr. F. Walker, a new exhibitor (though well known "behind the scenes"), takes a good position at once by virtue of his drawing from Thackeray's "Philip;" and Mr. B. Foster, Mr. Smallfield, Mr. Walter Goodall, and others, contribute pictures of originality and merit. There is a growing tendency to aspire to grand historical subjects, and to emulate the splendour and dignity of oil-paintings. Curiously enough, some of our painters in oils have, within the last few years, endeavoured, by a converse process, to bring themselves down to that minute delicacy in which a water-colour painter may fairly indulge. There is no doubt that in these two distinct branches of art there are useful lessons which may be interchanged. But it will not do to carry this kind of imitation too far; let artists learn from one another, if they will, but let each remain in his proper sphere, lest, while he gains praise for novel effects, he may nevertheless do injury to the art that he professes to serve.

The "Institute of Painters in Water Colours" (formerly "New Water Colour Society"), though not without distinguished members, seems unlikely as yet to eclipse the efforts of the older Society. Still it contains plenty of young blood, and its exhibitions are never likely to be devoid of merit or destitute of admirers. The most conspicuous names last year were those of Mr. Louis Haghe, Mr. E. G. Warren, Mr. Tidey, Mr. E. H. Corbould, Mr. Jopling, Mr. H. Warren, and Mr. T. Sutcliffe. Opinions seem to differ as to the general merits of the exhibition,

one critic maintaining that it contained only four pictures of real artistic merit, while others treat it with a good deal more respect. Upon the whole, however, it may be stated, without fear of contradiction, that it contained few pictures of unusual merit, and was in general estimation considered inferior to that of the "Old" Society.

The Royal Academy prefixed to this year's catalogue the following quotation from Vasari: "When artists compete with each other, good natural abilities exercising themselves with diligent study, they find every day new things to satisfy the various tastes of men." The "Times," after giving this notice, proceeds to say with respect to the Exhibition in question, "There is considerable evidence of good natural gifts for the art, and still more proof of diligent study; even the new things may be found, and very various tastes catered for. Of course the most popular meats are served in greatest profusion, and the dainty dishes that demand both delicate and cultivated palates for their appreciation, are about as rare as the tastes they appeal to. Nothing strikes the critic who has been familiar with a long series of Academy exhibitions, so much as the gradually but surely rising level of technical achievement." The Exhibition presented no very striking features to distinguish it as a landmark in the history of art; but it is satisfactory to find that the critics are agreed as to the steady progress of our painters. The "Athenæum" says, "The present Exhibition of the Royal Academy is equal to, though certainly not above, the average quality and interest of its predecessors;" and gives the following summary of the principal names and pictures:—

"The painters whose position is recognized, and who do not contribute to the current Exhibition are, amongst others, Mr. Maclise, who continues his great works at Westminster; Mr. Holman Hunt, who reserves some completed works for a future occasion, and to be exhibited separately; Mr. Frith, whose Court subject absorbs him; and Mr. Herbert, who has found occupation at Westminster. Mr. E. M. Ward sends a mere sketch, painted some years since. Those of note who are present, are, with others, Mr. Philip, whose picture of the humours of a Spanish funeral will enhance his reputation; Mr. Stansfield, who sends four coast pictures, not inferior in any respect to those he has yet produced; 'Peace,' a scene in the Medway; 'War,' the embarkation of troops who have landed to destroy a fort, a burning town in the distance; 'The Mew Stone, Plymouth Sound;' and 'On the Hollands, Diep,' the mouth of a Dutch river, a familiar theme. Sir E. Landseer is in strength this year, grander than he has yet been, with 'Man proposes, God disposes,' 'Pensioners,' 'Windsor Park,' and 'Piper and Pair of Nutcrackers.' Mr. Millais, who failed to complete his 'Aaron and Hur holding up the hands of Moses on Mount Sinai,' has five less important works: 'My Second Sermon,' sequel to the 'First Sermon,' exhibited last year; 'Charlie is my Darling,' a Jacobite damsel in a riding-habit, cocked-hatted and cockaded, standing on a mounting-block; and three others. Mr. Leighton sends three paintings: 'Dante in Exile,' 'Orpheus and Eurydice,' and 'Golden Hours.' Mr. Hook has five pictures, three of them Cornish subjects: 'From under the Sea,' miners leaving an adit, 'Cornish Miners leaving Work,' 'Milk for the Schooner,' and 'A Scene by a Brook-side.' Mr. Elmore sends two subjects, one more than life size, styled 'Excelsior,' from Mr. Longfellow's poem, and 'Within the Convent Walls.' Mr. H. Goodall sends three works: 'The Messenger from Sinai,' a camel-mounted Arab halting and taking drink from the hands of a girl; 'The Song of the Nubian Slave,' scene in a street in Cairo; and 'Summer Song.' Mr. Armitage contributes a portrait, and a large and impressive picture, 'Ahab and Jezebel.' Mr. Poole illustrates the history of the Spanish Armada by a picture of lighting



the beacons to give news of its approach, and sends two other works. Mr. Faed sends two pictures: 'Baith Faithier and Mither,' a domestic scene in Scottish common life, and 'Our Washing Day.' Mr. Calderon depicts 'The Funeral of Hampden,' and a scene 'In the Cloisters at Arles.' Mr. Marks sends two pictures. Mr. Eyre Crowe contributes 'Luther posting his Theses on the Church Door at Wittenberg.' Mr. Cope sends a capital study of modern life, 'Reading for Honours,' vacation time in the country; 'A Portrait of Miss E. Cope;' 'Contemplation;' and an etching. Mr. Whistler sends 'A Chinese Vase Painter,' a Celestial 'female artist' decorating a vase, and 'Wapping.' Mr. Redgrave appears strongest in landscapes this year, with 'Make up your Mind,' a woodland pool dammed up, a lady standing on a stepping-stone, hesitating to descend; and 'A House in the Woods;' also a figure subject, 'Jane Shore doing Penance.' Mr. Creswick has three pictures: 'Across the Beck in the North Country,' 'Early Morning in a Welsh Valley,' and 'On the Clyde.' Mr. D. Roberts sends two compositions: 'View of the Mausoleum of Augustus, Rome,' and 'Chapel in a Church at Dixmune, West Flanders.' Mr. E. W. Cooke sends four elaborate portraits of Nature.

"Among the works by younger or less known artists than the above, which should not escape notice in a summary such as this, are those of Messrs. V. Prinsep, R. B. Martineau, R. S. Stanhope, J. E. Hodgson, G. Mason, and W. F. Veames. Among the portrait painters proper, Mr. J. P. Knight holds an important place with his five works, representing 'General Cabrera,' 'The Lord Mayor of London,' 'The Assistant Judge, W. H. Bodkin,' 'E. Gambart, Esq.,' and 'Master Langley.' Mr. Woolner contributes a portrait bust of T. Coombe, Esq., of the Clarendon Press, Oxford, and a portrait of a Lady."

Judging from the attention shown by the visitors, we should be inclined to say that the painting of Sir Edwin Landseer, "Man proposes, God disposes," and "A Norwegian Duel," by Mr. Tidemand, a Swedish painter, were, upon the whole, the most popularly successful works of the year, in spite of the melancholy nature of the subjects. The former was a scene in the Arctic regions, with a splendidly-drawn figure of a Polar bear gnawing a human bone, while around lay scattered a few relics which might probably be intended for the last remains of Sir John Franklin and his unfortunate companions. The latter was a large picture with many figures, portraying a mortal combat between two fierce Norsemen, who might have lived in the time of the old Vikings. A picture by Mr. Marcus Stone, called "Working and Shirking," scarcely obtained its due share of attention. This young artist had been suddenly wafted into fame by one or two former pictures, and his attempt made last year in a new style disappointed some of his admirers. It may be, however, that this is precisely the style in which he is destined to excel. The apparent want of unity in the picture repelled hasty observers; but the want was *only* apparent, as the various groups dispersed about the field had all a philosophical relation to the central group. We have seldom seen any more striking contrast than that which was shown between the dogged, besotted "ne'er do weel," and the firm and steady, yet not harsh or unfeeling, expression of the soldier who is leading him to punishment as a deserter. It is true that Mr. Stone is taxed by some critics with great carelessness in the mechanical execution of the work. This, however, may be corrected by increased pains in his future efforts, and, in the mean time, "Working and Shirking" remains as an undeniable evidence of his intellectual powers. One more picture we must mention before leaving this subject; Mr. R. S. Stanhope's "Rizpah," which represents the unfortunate mother watching the bodies of her children, ruthlessly

slain to expiate the faults of others. In the words of the "Athenæum," Mr. Stanhope "may be styled the youngest in the list of artists who establish themselves this year."

The bad arrangement of the pictures in Trafalgar-square is a subject of lamentation among the critics, and probably still more so among the painters. On this head the observations of the "Reader" are well worthy of notice:—

"Landscape painters are, perhaps, more injured by the system in force at present than any other class of artists. Their pictures, being, for the most part, sober in colour, are ill calculated to bear proximity with subject-pictures or portraits, where the use of the primitive colours, in a less sparing degree, is not prohibited by the nature of the subject. Unattractive also in the sense of drawing shillings to the Exhibition, they are too frequently placed above or below the privileged line; and many fine landscapes are likely to be overlooked in places where subject-pictures and portraits obtain a very fair share of notice. No collection of pictures is so interesting as a gallery of authentic historical portraits. Any collection of portraits is attractive, as is proved by the attention which the annual display of specimens of the upper ten thousand excites in Trafalgar-square. We believe also, that, were the landscapes displayed at the Royal Academy placed by themselves in one of the rooms, over the whole of which they are now distributed, not only would they be found infinitely more attractive, but their juxtaposition would give serviceable hints to the painters, and useful instruction to the public."

The portions of the rooms devoted to Architectural Drawings, and the Sculpture-room presented several objects of interest. We again avail ourselves of the compendious summing-up of the "Athenæum."

"Among the Architectural Drawings, the following will be found most worthy of notice:—'Incised Decoration for St. Peter's, Vauxhall' (778), Mr. J. L. Pearson,—'Charing Cross Hotel' (777), Mr. E. M. Barry,—Mr. Prichard's design for a mansion in Spain (785),—Mr. G. G. Scott's 'New Foreign and Indian Offices, as in the style desired by the Architect' (786), a design which is but slightly truer to Gothic character than the Houses of Parliament, but has grandeur of effect not to be hoped for in the works now in course of erection. The masses are composed with characteristic art; the decorations have meaning and propriety of form, and are very different from the unintelligent series of panellings and pediment-headed windows of the realized design. This is evidently Mr. Scott's protest with regard to the modified work, and, being his diploma design, is likely to be the more effectual. Mr. R. P. Spiers's 'Design for the Vestibule and Staircase of a Royal Palace' (789) is grand in its masses, and generally effective; a severe critic might object to the porthole-like windows forming a clerestory in the coved ceiling: the decorations are ornate. Mr. G. Sykes's 'Designs for Decorations at South Kensington' (813, 814) are elegant and original. One of them is not improved by the picture-like character of the likeness of the Prince Consort. Among the etchings, besides those before mentioned, we may commend the impressive effect given to 'Mytton Hall' (835), and 'Battersea' (842), by Mr. H. Dean, and the fine handling in 'The Springhead' (836), by Mr. Redgrave. Mr. H. Cole contributes a skilful, but not highly-finished work, 'Shere' (846).

"In the Sculpture-room is an immense collection of busts, the general character of which is higher than has appeared here in late years. Let us commend Mr. Woolner's 'Mr. Combe' (1024), a noble portrait, learnedly and boldly wrought; and 'A Medallion of the Rev. G. Palgrave' (1049); both of these are inconsiderately placed. The sound execution of the first, if nothing else, should have

won it proper respect. Another bust deserves careful regard; it is Mr. Weekes's 'W. H. Whitebread, Esq.' (900): see also Mr. Davis's 'Mrs. F. D. Mocatta' (906), and Mr. Boehm's 'C. Newton, Esq.' (1000). Mr. H. S. Leifchild's grand and finely-wrought statue, 'The Task of Erinna' (870), will commend itself to all who understand and care for art. Mr. Weekes's statue of 'John Hunter' (862) is characteristic, and in its way a fine work. But the most attractive group in the Sculpture-room are some studies of English boys at their various games—cricketing, boating, playing football—the models being selected from Westminster, Harrow, and Eton. These studies, which are by Mr. Durham, are full of youth, life, and grace."

The Winter Exhibition at the French Gallery opened in November, and was considered to be above the average. The pictures at this Exhibition are of a limited size, and in walking round it the visitor imagines himself to be in a richly-ornamented drawing-room rather than in a public gallery. Mr. M. E. Frère's picture, "The Writing Lesson," representing in a very simple and natural manner a little girl at a high desk with a copy-book before her, may be mentioned as one of the most truthful works in a very satisfactory collection.

The Photographic Society opened its rooms about the middle of the year, but presented no very striking features, and no decided marks of progression.

Mr. William Simpson's water-colour drawings of scenery, &c., in India, Cashmere, and Thibet, at the German Gallery in Bond-street, must be considered one of the most interesting and remarkable of the minor exhibitions. Mr. Simpson was engaged some years ago to make drawings of the various spots in the Crimea which had become known by reputation to all Englishmen, in consequence of the events of the Russian war. He has been sent since that time on an artistic tour in the Indian Peninsula and the adjoining regions, and has had the best opportunities of seeing all the spots that were interesting in themselves or accidentally rendered famous by the terrible incidents of the mutiny. After travelling some 23,000 miles, he returned to England "with a portfolio full of sketches illustrative of the natural scenery, the architecture, and the manners and customs of almost every part of Her Majesty's empire of the East, and of the adjoining countries." That this description, drawn from the catalogue of the pictures, presents no exaggerated view, any person can testify who has been at the pains of visiting the Gallery. Mr. Simpson's collection proves that India contains objects of wonder and beauty which as yet are little known in Europe, but which, from the rapidly increasing importance of our relations with that distant empire, cannot fail shortly to claim general attention.

The Mulready Exhibition at the South Kensington Museum was an object of reverent pilgrimage to all who honoured the memory of the lamented painter whose works were collected there. On this the "London Review" remarks, "The collection of the works of the late William Mulready, R.A., which is now exhibited at the South Kensington Museum, is one that it would be difficult to surpass in the whole school of English painters, for certain excellencies of art.

Mr. Herbert's picture of "Moses descending from Mount Sinai," in the Palace at Westminster, has been a general object of curiosity, and is admitted to be one of the most successful efforts made in reply to the invitations given by the Government so many years ago to artists to come forward and assist in the decoration of the Houses of Parliament. Much experience has been gained since the original contracts were entered into for this and other paintings; and it has been found—first, that which is called the water-glass method of wall decoration is better for



our purposes than fresco; and, secondly, that it takes a far longer time to execute these paintings than was originally supposed. The Commissioners appointed to inquire into these matters have recommended that the original contracts should be varied so as to be more favourable to the artists; but that for the future, as both contracting parties may be supposed to have gained experience during the last fifteen years, every agreement entered into shall be rigidly enforced. We offer no comment, but we cannot help thinking that what with architecture, painting, and bad stone, the demands in respect of the Houses of Parliament have been far greater than were anticipated both on the purse and on the patience of the public. With regard to Mr. Herbert's great picture, which has occupied the artist for nearly seven years, the "Reader" says:—

"If not a work of the very highest order, it is unquestionably a work in which may readily be discerned infinite study and care, a lively faith in the revealed story, and the cunning hand of a most skilful workman. It is literal rather than imaginative, and therefore it fails to reach the level attained by the great Italian masters—by Da Vinci in the 'Cenacula,' by Raphael in the 'Ananias,' by Luca Signorelli at Orvieto, by Michael Angelo in the Sistine. As a work of art it occupies other and, we must say, far lower grounds. The distinction which exists between Mr. Herbert's picture and the works of these great artists is one of mental grasp and power; and it is important to note this, because we have observed a tendency on the part of Mr. Herbert's critics to deny or ignore this distinction, and to point out the secondary one of a mere difference in treatment, by which literal truth of detail in costume and landscape has been substituted for the practice of the old masters, who troubled themselves little about appropriate costume, and introduced their own Italian backgrounds at pleasure."

The report of the Commission on the Royal Academy has caused a great deal of discussion. The recommendations of the Commissioners are briefly stated in our Retrospect of Art for 1863. The desire of Government was to promote the objects of the Academy, and at the same time to render its constitution and management more open and liberal. The Academicians, on the other hand, were, naturally, perfectly ready to accept any advantage that might be offered to them, but denied the right of the Government to interfere with their internal arrangements. We quote from a contemporary some observations made by Lord Granville on behalf of the Government on the 24th of June last:—

"Earl Granville said, with reference to the present position of the Royal Academy that the Government felt bound by the decision of the House of Commons to endeavour to form another plan for the accommodation of the institution of more acceptable character than that which was recently rejected. As to whether the Government would insist on certain changes being made in the rules of the Academy, and pledge itself that those rules should be submitted to Parliament, he believed the Academy did not admit that the Government possessed any power with reference to its rules. Some of the suggestions made by the Commissioners in their recent report were of a nature so obvious as to be readily adopted by the Academy, others of an important character had been rejected, there were some which were more for the consideration of the governing body of the Academy than for the decision of the House of Commons. He concurred with what had been said as to the inexpediency of the Government mixing itself up with the Academy, but there were certain recommendations of the report which ought not to be dismissed without consideration. If the Government gave additional facilities to the Academy, it ought to render the governing body satisfactory, not only to the public but the artists themselves; and it was, perhaps, desirable,

by means of negotiation between the Government and the Academy, to seek to secure a more popular representation of the artists in that institution."

Several pictures have been added to the National Gallery in Trafalgar-square. One of these is a large picture of A. van der Neer, once the property of Lord Shaftesbury. It represents a Dutch canal with a bridge in the middle distance, a garden fence on the left, and figures "full of life and expression" on the right. Some connoisseurs consider this to be the largest work of the painter. The "Death of Major Pierson," by Copley, has also been acquired. Other additions are:—"The Annunciation," by Carlo Crivelli, signed and dated 1481, presented by Lord Taunton; "Portrait of Christoforo Longono," by Andrea da Solario, dated 1505; "St. Roch with the Angel," by P. Moranda, dated 1518; "Portrait of a Venetian Senator," by Bonsignori, dated 1487; and a landscape, by Ruysdael. During the recess, about seventy paintings were submitted to a new restorative process, the object of which is to restore the purity of the varnish. It is said that this process is such as to have no chemical or other operation on the painting itself, so that even if it fails, nothing can be injured by it except the varnish. Among the pictures which have undergone the operation with the best results, are the "Woman taken in Adultery," by Rembrandt; and Titian's "Venus and Adonis," undoubtedly two of the most important pictures of their respective kinds in the national collection.

Mr. C. Horsley and Mr. Faed have been chosen to fill the vacant places in the list of Royal Academicians. The names of both of these artists are sufficiently known to make it unnecessary that we should offer any comment on the result of the elections.

A good many sales of importance have taken place during the year. In June several private collections, principally of Dutch pictures, were disposed of, the property of the late Earl of Clare, and of other gentlemen. The picture which fetched the highest price was a Murillo, "Peasant drinking from a glass, and holding a bottle," 1365*l.* Another Murillo, "St. Joseph with the infant Saviour on his knee," was sold for 304*l.* 10*s.* A Greuze, "Young Girl caressing a Spaniel," realized 1071*l.* A group of roses, peonies, and pinks, by J. van Huysum, was sold for 525*l.*; "La Tricoteuse," by Netscher, 409*l.* 10*s.*; "An Astrologer," by G. Dow, 703*l.* 10*s.*; "River Scene, state barge, boats and figures," by Van der Capella, 535*l.* 10*s.*

In May, the remaining works of the late William Hunt were sold. The total sum realized was 2337*l.* 7*s.* In the same month some drawings and pictures belonging to the late Mr. J. Duncuft, Mr. C. Mand, and others were sold. Most, if not all, were by English painters, and the highest prices obtained were as follows:—"Interior of a Fisherman's Cottage," by W. Hunt, 241*l.* 10*s.*; "Irish Courtship," by F. Goodall, 472*l.* 2*s.*; "Moon rising over Snowdon," by Turner, 451*l.* 10*s.*; "Easby Abbey," by Turner, 814*l.* 10*s.*; "The Abbey Pool," by Turner, 357*l.*; "Abbeville," by S. Prout, 357*l.*; "Coast Scene," by C. Fielding, 210*l.*; and "The Old Receiving Houses on the Serpentine," by Mulready, 409*l.* 10*s.*

A very important sale as to the prices realized, though small as to the number of pictures, took place in June. We allude to the sale of the collection of J. M'Arthur, Esq., deceased. The principal paintings (as gauged by the test of value) were:—"Coming of age in the olden time," by W. P. Frith, 1207*l.* 10*s.*; "Dartmouth," by C. Stansfield, 1281*l.*; "The Nile Boat, Tombs of Ben Hussein, looking towards Cairo," by W. Müller, 913*l.* 10*s.*; "The Harvest Waggon," by Linnell, 745*l.* 10*s.*; "The Fleur-de-Lys," by Etty, 367*l.* 10*s.*; and "Oh, Nanny, wilt thou gang wi' me," by T. Faed, 282*l.* This remarkable collection,

although consisting of only a very limited number of pictures, realized the large sum of 8739*l.* 16*s.*

The late Mr. J. M. Oppenheim's collection was sold in the same month. This large collection contained some important lots; among others, a landscape by Ruysdael, with figures by Wouvermans, sold for the large sum of 1522*l.* 10*s.*; A landscape by M. Hobbema, 934*l.* 10*s.*; "The Departure for the Chase," by P. Wouvermans, 903*l.*; "Interior of a Cottage, with dancers," by A. van Ostade, 735*l.*; "The Kermesse," by D. Teniers, 1522*l.* 10*s.*; and, among modern pictures, "The last reading to Graziella," by Mr. R. Lehmann, 535*l.* 10*s.* The total sale realized 13,790*l.* 12*s.* 6*d.*

The pictures of the late Bishop of Ely were also sold during the past year, but none of them fetched very high prices. The most valuable, judging by the result of the sale, was a "Portrait of a young lady," by Reynolds, that was sold for 165 guineas. A collection of drawings, the property of the late J. W. Brett, Esq., of Hanover-square, realized 6195*l.*, the most valuable items being: "Christ bearing his Cross," by Raphael, 678 guineas; "The Dead Christ, Virgin, and six figures" (said to have been painted by the order of Charles V., by Titian), 610 guineas; "The Virgin enthroned," by F. Lippi, 890 guineas; and "The Adoration of the Magi," attributed to J. van Eyck, 430 guineas. The last sale of this description to which we need allude is that of the collection of the late Mr. George Daniel, consisting of numerous drawings and engraved portraits of distinguished actors and actresses, water-colour drawings of a high class, and other objects of art and curiosities, which, together with the library of the deceased, were sold for the large aggregate sum of 15,865*l.* 2*s.*

The Arundel Society, to which allusion was made in our former retrospect, is continuing its labours in the cause of early Italian art. The following works were announced some little time ago for issue in the ensuing year:—

"1. A line-engraving, by Schäffer, of 'St. Sixtus giving Money to St. Lawrence for Alms,' in continuation of the series of frescoes by Fra Angelico, in the Chapel of Nicholas V., in the Vatican. 2. Five chromo-lithographs, by Mr. C. Schultz, from the triptych, painted by Memling, in the Hospital of St. John at Bruges, representing the following subjects:—(1) The Adoration of the Magi, (2 and 3) The Nativity, and the Presentation in the Temple (on one mount), (4 and 5) St. John the Baptist and St. Veronica (on one mount)."

The "North London Working Classes' Industrial Exhibition," though scarcely coming within the range of regular Art, deserves notice as a praiseworthy endeavour to enable persons of limited means to bring their ideas before a discerning public. This exhibition opened in October, and attracted a large crowd of visitors from all parts of the Metropolis. What may come, practically, of such Exhibitions we cannot know as yet; but it is certain that all classes of the community have been taken by surprise by the great amount of unpretending talent and energy of which the results have thus, for the nonce, been elicited. We quote the following remarks from the "Reader:—

"The North London Working Classes' Industrial Exhibition, which was inaugurated on Monday last under most favourable auspices, may well claim a few words of notice at our hands, because it presents the character of the working man in a new and highly attractive phase, not as the skilled handicraftsman of his own calling, but as the skilful amateur in ennobling pursuits in no way connected with that particular one which produces him his daily bread.

"When it is seen that a hairdresser finds happiness in mouldering plaster statues, a costermonger or a letter-carrier in making architectural models, a gas-



fitter or a paper-hanger in overcoming the difficulties of oil-painting—the one producing from a woodcut engraving in the ‘Illustrated London News’ a tolerable copy of Mr. O’Neill’s ‘Eastward Ho!’ and the other from the same source, Mr. Mark’s ‘Franciscan Sculptor’—and that a woman, who toils through the day in fastening in the bristles of tooth-brushes in order to earn a subsistence, snatches an hour or so daily to collect ferns and water-plants, to dry and arrange them in a book,—the example will not be lost upon others of the same class who may visit the Exhibition, and who will, consequently, seek relaxation from the main toil of the day in more ennobling pursuits than a visit to the alehouse.

“Amongst other articles, there are ivory carvings by a porter, wood carvings by a tinman, models of ships by a publican, a compositor, a letter-sorter, a book-binder, and a druggist, and pictures of less pretensions than the two just mentioned, by almost every variety of handicraftsman. A mason exhibits a clock, as also does Mr. J. Gray, a gas-fitter and a bell-hanger—the latter work claiming particular attention as a most ingenious contrivance. Its maker calls it ‘The Early Riser’s Friend,’ for this ornamental clock, in addition to marking the time, strikes an alarum, ignites a match, lights a lamp, illuminates the clock-face, and boils a cup of coffee whilst its owner is dressing.

“Taking the Exhibition, as a whole, as a step in the right direction, the eye passes over much that is coarse in conception and crude in execution, delighting in picking out, every here and there, as it passes along, indications of grace and refinement, which, considering all the circumstances to which the Exhibition owes its existence, are no less marvellous than gratifying. The North London Industrial Exhibition originated in a meeting of some half-dozen persons, all belonging to the working classes, at the Lamb and Flag Ragged Schools, Clerkenwell Green, where, at the invitation of Mr. W. J. Watts, they discussed the advisability of holding an exhibition in the parish of Clerkenwell. Subsequently one district and then another sought permission to join in the scheme, until at length the undertaking expanded to its present proportions, representing the united industry of Clerkenwell, Holborn, St. Luke’s, Hoxton, Holloway, Islington, St. Pancras, and Camden Town. From first to last it has been practically independent of external aid. A small guarantee fund of 350*l.* has been subscribed by a few friends of the movement, including among them Lord Shaftesbury, the Chancellor of the Exchequer, and Miss Burdett Coutts; but the committee do not anticipate the necessity of calling for any contribution from the subscribers.

“Earl Russell, in his opening address, declared himself proud to be the countryman of the workmen who could produce the objects exhibited in the Agricultural Hall; and no one who pays the Exhibition a visit but will feel a like pride in recognizing the great amount of latent talent of a very high order among the working classes, which is thus revealed.”

Our space will permit us to allude only to a few of the books published during the past year on subjects connected with Art. One of these is “A New History of Painting in Italy from the Second to the Sixteenth Century,” by J. A. Crowe and G. B. Cavalcaselle, of which two volumes have made their appearance, coming down to Cosimo Roselli and Piero della Francesca. The responsibility of the task is very great; but up to the point at which they have arrived, it does not seem to have been undertaken without sufficient consideration.

“The authors have so far produced a most complete history of early Italian Art—a history that is not only eminently distinguished by critical acumen, but remarkable also for the conscientious spirit in which it has been written. No pains have been spared either in the search for new sources of information or in careful

reference to well-established authorities. The reader will readily recognize the care taken by the authors in the foot-notes, by reference to which almost every important statement is sustained. For convenience as a book of reference marginal notes would be useful, and we submit this as a suggestion that might be adopted in the two forthcoming volumes. The text is illustrated by numerous engravings, which, without being remarkable, are fairly executed, and suffice to put the student in possession of the plan of composition adopted by the great individual painters who exercised so important an influence upon particular schools."

An important work, by R. N. Wornum, keeper and secretary of the National Gallery, entitled "Epochs of Painting," takes in the whole range of the limner's art, commencing with the early efforts at delineation in Asia Minor, Asia, and Egypt, Greece, and Rome, of which so little can ever be known, and concluding with a list of the most eminent exhibitors of our Royal Academy. Such a work in six hundred pages can be merely an epitome; but as an epitome it may be eminently useful. The "Reader" thus sums up the contents of the book:—

"Book I. is on ancient painting—its birth, growth, and decline; the art of Asia, Egypt, Asia Minor, Greece, and Rome. Grecian painting is treated under the heads of Development of Painting, about 600 B.C., Essential Style; Period of Establishment, about 400 B.C., Dramatic Style, Individuality; Period of Refinement, about 340 B.C., Gradual Ascendancy of the mere Form of Art—the development of the essential powers of painting superseded by mere technical excellence as an end; and the Decline, the ancient *genre* painters, from about 300 B.C. These are some of the most interesting chapters in the whole volume, the author having collected his facts carefully, and presenting them in a very lucid, varied, and agreeable form, the facts themselves being comparatively few, so that to make the most of these is as natural and legitimate, as it is afterwards, in the plethora of material, compulsory to condense as far as possible. Not, indeed, that condensation is wanted in this antique section either; the whole subject, prior to Christian Art, being got into seventy-five pages. Book II. treats, as we have already mentioned, of the dark ages and Byzantine Art, including MS. illuminations. Book III. the revival under Cimabue and Giotto on to the period of Masaccio, and the ascendancy of devotion and sentiment in Art; the early schools of Germany and the Netherlands, with the form of oil-painting introduced by the Van Eycks; the Italian Quattrocentisti—'Progression from the Representative to the Imitative through the gradual development of Naturalism.' Book IV., Painting again a perfected art, as in the culmination of its antique practice—'Co-ordinate development of the sensuous and sentimental.' Here, of course, we go over the world-famous bead-roll of Italian names—Leonardo, Michael Angelo, Raphael, Correggio, Titian, &c. Book V., Albert Dürer and other chiefs of the Teutonic schools; Italianization in the North and Michaelangelism in Italy, both potent for evil; the new revival, such as it was, under the eclectic system of the Carracci. Book VI. pursues the 'decline and fall of the *Italian empire*' of art—'—uniformity in the place of individuality; for Nature an artificial mechanism.' It also traces the course of the Spanish school. Book VII. is headed 'Revival of Painting—Expediency and Common Sense.' Under these general terms, Mr. Wornum sums up the very diverse developments of art in Flanders, Holland, France, and finally England, from the time of Rubens to the latest generation of deceased painters. He treats the style consequent upon the labours of Rubens and Rembrandt as 'the highest objective development of the art,' and French and English painting as characterized respectively 'by the influence of Rembrandt

mediately through Sir Joshua Reynolds.' An epilogue succeeds, chiefly aiming to uphold the claims of the Italian sixteenth century art as paramount; and this is followed by a table, which concludes the book, 'of the contributions of some of the more eminent painters to the exhibitions of the Royal Academy, with initials showing the years they first exhibited as Associates or Royal Academicians.' 'Painting and painters,' says Mr. Wornum, towards the close of his onerous task, 'have been the theme throughout. The art itself in its various developments has been a chief object of review; but I have also endeavoured to present the painter himself in his social position and circumstances as fully as regards essential facts, as the space at my command would admit. Such painters as have not been distinguished for any other service than that of repeating what had been done by others have been little more than named, and that only in such cases where they were of high merit or the principal promoters of the art in their respective localities.'"

The "Art Union Almanack" is a very useful little publication, small enough to be carried in the waistcoat pocket. It gives the days and hours of meeting of all societies, and contains at the end a list of art exhibitions, art societies and their principal offices, &c.

In Music the year has presented no very remarkable features. We have still two Italian Opera Houses in the "season," and two so-called English Opera Houses in the winter. Of the latter we shall speak presently. At Her Majesty's in the Italian season, Nicolai's "Falstaff" was produced, but made no great sensation.

A novelty at the Royal Italian Opera (Covent Garden) was Flotow's "Stradella," which also fell rather flat. M. Gounod's "Mireille" was perhaps the most popular opera at the former house, partly from the reputation that its composer's opera "Faust" has earned for him, and partly from its intrinsic beauties.

When we have said this, we have said all; for the mere "revival" of standard works is not an incident worth marking, unless they have been so long disused that their resuscitation has a peculiar significance, as denoting a reaction in the public taste. Madame Titiens (or Tietjens) continues to hold her place as Prima Donna at Her Majesty's, while Mdlle. Adelina Patti holds undisputed sway and gains fresh laurels every year at Covent Garden. The continued success of the latter *cantatrice*, who began so young that people predicted her early failure from want of strength, but who has proceeded from one feat to another, each more arduous than the former, is one of the most remarkable circumstances of a somewhat dry and barren period in the history of the opera.

The two English Opera Houses seem unable to excite Englishmen to the composition of operas. Now and then a new work is brought out with much parade of announcement, by a veteran composer, by Balfe the light, or MacFarren the learned, and people of a musical taste visit the theatre for a few weeks to hear what it is like. The newspapers generally praise it more or less, the profession pronounce it charming, and the public forget it. The rest of the season is filled up with revised works of similar composers, and with translations of the Italian operas. The only way that has yet been discovered to fill an English Opera House before Christmas is to engage some individual singer of great popularity, in order that people may go, not to see the piece, but to hear his voice. Whether he is a good *operatic* singer matters not; if he draws, the object is gained, and the interests of Art are as nothing in the balance. At present, however, the prices demanded by stars of the first magnitude are so enormous that managers cannot afford to engage them regularly, so that the house is generally more than half empty till Christmas, and, as far as the uninitiated can judge, is



only saved from bankruptcy by the Pantomime. When this time-honoured winter amusement comes on, the theatre is immediately filled from floor to ceiling. A short and light opera precedes it—the shorter and lighter the better—just to save appearances, and then the holiday-making audience settle down to the real business of the evening. Vast sums are spent on the production of the pantomimes, and the transformation scene which terminates the opening is a gorgeous succession of pictorial and luminous effects, which sometimes lasts a third of an hour, and is said to cost hundreds of pounds every evening that it is produced. As if this were not enough, every kind of eccentric attraction is introduced in the opening or the harlequinade, and this winter a one-legged dancer is held up as the great attraction to the patrons of the musical drama. Clever as the performances of this new kind of *artiste* undoubtedly are, it is strange that any sensible person can take a pleasure in witnessing them. On one occasion, when he was unavoidably absent, a three-legged dancer was substituted, and appears to have pleased the audience equally well, but we are not aware by what mechanism the appearance of a third leg was introduced. At present it is clear that there are no young operatic composers in England, or that there is not sufficient encouragement for them. We are rather inclined to adopt the latter view. The country which produced many of the best specimens of the madrigal and anthem school of old times cannot be so destitute of invention as it would seem to be at present. But the composition of an opera makes serious inroads on the time of young men who have to support themselves and make their way, and the suspicion, almost amounting to certainty, that the work will not be accepted, deters many from making the attempt. It is only by degrees that the practical obstacles will be surmounted. If once the rising musicians of the day can secure the confidence of the public, the managers will be only too glad to accept their works, and the difficulty will be at an end. Under these circumstances it is satisfactory to see that the experiment of Mr. and Mrs. German Reed, who continue to produce little pieces under the name of “Opera di Camera” at the “Gallery of Illustration” in Regent-street, has met with substantial encouragement. It is true that they have hitherto relied on old and well-known composers, but the young ones must have their turn in time, and they will then be able to show what they are worth without the enormous labour and risk of writing a long operatic work.

The Philharmonic and New Philharmonic Societies continue to represent the most refined musical feeling of the metropolis, but we have nothing especially worthy of notice to record of their performances this year. The Monday Popular Concerts continue to attract, and are doing much to elevate the taste by the introduction of the very best music interpreted by the ablest performers. The London Musical Society has lost the goodwill of many of its most earnest supporters by passing a resolution that the meetings or classes for practice shall be discontinued. This has led to the secession of a great number of amateurs, who are forming a new Society, and who look upon the London Musical Society as having degenerated into a professional clique.

The Royal Academy of Music is now in possession of a grant of 500*l.* from Parliament, which is to be renewed from year to year if sufficient cause be shown. The grant was much resisted during the last Session, and it is perhaps rather uncertain whether it will be made permanent.

The Music Halls are a recent feature which we cannot justly pass over. Although these institutions earn a good deal of their money by the beer and tobacco consumed in them, they have the merit of placing “operatic selections” before a class

of people who could never afford to pay the price demanded for admission into one of our expensive Opera Houses. Thus they are gradually forming the public taste, and although the performances are interspersed with comic songs, acrobats, dancing dogs, and the like, the evidence of our ears demonstrates to us that the smallest butcher-boy who whistles about the streets is profiting by their musical influence. It would not do, of course, to criticize the Chorus and Orchestra too closely, but some of the Solo Singers are by no means contemptible, and the performances are improving from year to year.

The ordinary theatres claim some notice at our hands; for though this retrospect does not purport to give a record of theatrical performances, yet the drama, as an art, clearly comes within its scope. We may say, then, that although the year has shown no very definite progress, there are yet certain favourable signs in the horizon. As in novel-writing, so in theatrical entertainments, the mania for "Sensation" has held us for some few years in thrall. The managers seem to have discovered that they have only got to introduce a drowning-scene, a house on fire, or a general blow-up, and to advertise it for months together about the streets with glaring pictures, in order ultimately to persuade the public that it is one of the things that "must be seen." But, in the midst of all this, Mr. Phelps, who for many years succeeded in attracting large audiences of the unwashed to see his conscientious performances of Shakspeare at the little theatre of Sadler's Wells, has fairly established himself at Drury-lane under the auspices of Messrs. Falconer and Chatterton. In these days, when fixed principles are unrecognized and multitudes will run to see a blaze of stage fire-works or to listen to a lisping foreigner, it is cheering to see a single ray of healthy light in the distance.

Great efforts were made during the year to get up brilliant demonstrations in honour of the Tercentenary of Shakspeare. The results were incommensurate with the exertions made and the promises held forth; chiefly owing to the private animosities and jealous bickering of a considerable portion of the influential persons engaged in the undertaking. It is understood that the Stratford Committee closed its account with a deficit, although the newspapers overflowed with glowing accounts of the splendour of its exhibitions and arrangements. The London Committee, on the other hand, had a moderate surplus, although unsupported by the Press, and assailed with a perfect tempest of ridicule and hostile criticism. The sum in hand will, it is understood, be funded for two or three years, when it will be expended, together with the accumulations and any additional subscriptions that may come in the mean time, in the erection of a statue on one of the most commanding sites of the metropolis.

## SCIENCE.

The Royal Society held its Anniversary Meeting at the end of November, and General Sabine in his address gave hopes that the Great Scientific Catalogue would before very long be completed. It appeared that the list of Transactions and Journals, greatly increased by correspondence with foreign scientific bodies, had been completed in manuscript to the extent of 180,000. When this list is finished, it will still be necessary to arrange the titles in alphabetical order, with an accompanying alphabetical list of authors' names, and the whole will then be printed, bringing down the means of immediate reference to the year 1863, inclusive.

At present a manuscript copy of the Catalogue, with the titles in chronological order, is placed in the Society's Library. It is estimated that the cost, exclusive of printing, will not be less than 2000*l.*, and in order to facilitate the progress of the work, the Society offered it to Her Majesty's Government, in the hope that it might be printed at the public charge, and presented to scientific institutions at home and abroad in the name of the British Parliament and the Royal Society. The answer to this proposition arrived an hour or two before General Sabine delivered his address, and he had the satisfaction of announcing that the Government had acceded to the Society's request. The public will thus be presented with a work which will enable them to search for all important scientific documents between the dates of 1800 and 1863, inclusive.

Measures have been adopted for "combining pendulum experiments with the astronomical and geodesical operations about to be undertaken in the survey of a great arc of the meridian in India."

"Correspondence on the subject has taken place with the Secretary of State for India, who sanctioned the proposal; and Colonel Walker, Superintendent of the Indian Trigonometrical Survey, has been authorized to carry out the experiments. The Royal Society, being in possession of pendulums and a clock which had previously been employed in similar work, were applied to for a loan of the instruments, which they granted. A vacuum apparatus, in which the pendulums will be swung at all the stations, has been set up in the Observatory at Kew, where Captain Basevi, R.E., during some weeks made himself practically acquainted with the instruments and commenced a series of base observations. These will be completed early in the coming year, when the pendulums, with the clock and vacuum apparatus, will be packed and despatched to India. On the close of the operations in that country, the instruments will be returned and set up in the same place at Kew, and undergo verification; so that with proper attention on the part of the observers, which is not to be doubted of, this new survey of an arc in India should excel all others in accuracy."

In connexion with the above subject, General Sabine mentioned the results of some recent researches of his own, as to "the difference of direction observed in disturbances of the magnetic declination at stations in England, and others beyond the Ural Mountains."

"The days and hours at which the phenomena occur are, with slight exception, the same, and the movements are simultaneous, in both localities; but the direction of the magnet indicating the disturbance is directly the reverse in Eastern Siberia of the direction in England. On this, General Sabine remarks, 'I attach, of course, far more importance to the fact itself than to the hypothesis which guided me to its anticipation, and thence to its discovery; still an hypothesis which has led to the knowledge of a fact of so much theoretical importance entitles itself to some consideration; while no one can doubt that a knowledge of the fact itself strengthens the desire for the multiplication of stations in distant parts of the globe, at which these phenomena are systematically observed.' An instalment of the desire here intimated may be regarded as satisfied, for magnetic observations, equipped with instruments similar to those in use at Kew, and supported by colonial funds, are to be established at Melbourne and Mauritius."

General Sabine then proceeded to allude to Sir John Herschel's Catalogue of Nebulæ, and the papers of Mr. Huggins and Dr. Miller on Spectra of Nebulæ and Fixed Stars. With regard to Nebulæ, Mr. Huggins is of opinion that the Stellar theory is incorrect, and that these mysterious vapour-like appearances are really of gaseous nature, and are not merely an agglomerate of solid bodies rendered in-



dividually indistinguishable by distance. The wonders of spectral analysis are probably only beginning to be known, but the result of its application to nebulous masses at an immeasurable distance, revealing only the existence of one or two gaseous elements, is perhaps as astonishing as any thing that can ever come of it. The scientific world seem to accept the conclusion of Messrs. Huggins and Miller as a solution of the *vxata questio* which has so long puzzled astronomical observers.

The return of the Swedish expedition to Spitzbergen was announced. The preliminary survey is now completed, and it is believed from what has been ascertained that there will be no difficulty in effecting the ultimate object,—the measurement of an arc of the meridian for at least three degrees, with a possibility of further extension.

The medals of the Society were all awarded on this occasion to Englishmen. The Copley Medal was presented to Mr. Charles Darwin, author of the “Origin of Species,” for his energy and industry in researches in the various branches of Natural History. It is well known that Mr. Darwin’s theories have caused a good deal of controversy, and this fact could not be entirely overlooked by the President, who at the same time ably summed up the motives, apart from immediate and obvious utility, that should lead us to honour and reward earnest and persevering inquiry.

“Although,” he said, “opinions may be divided or undecided with respect to its merits in some particulars, all will allow that it (Mr. Darwin’s work) contains a mass of observation bearing upon the habits, structure, affinities, and distribution of animals, perhaps unrivalled for interest, minuteness, and patience of observation. Some among us may, perhaps, incline to accept the theory indicated by the title of this work, while others may perhaps incline to refuse, or at least to remit it to a future time, when increased knowledge shall afford stronger grounds for its ultimate acceptance or rejection. Speaking generally and collectively, we have expressly omitted it from the grounds of our award. This on the one hand: on the other, I believe that, both collectively and individually, we agree in regarding every real *bonâ fide* inquiry into the truths of nature as in itself essentially legitimate; and we also know that in the history of science it has happened more than once that hypotheses or theories, which have afterwards been found true or untrue, being entertained by men of powerful minds, have stimulated them to explore new paths of research, from which, to whatever issue they may ultimately have conducted, the explorer has meanwhile brought back rich and fresh spoils of knowledge.”

One of the Royal Medals was awarded to Mr. J. L. Clarke, whose improvements in the method of investigating a particularly interesting and recondite portion of the human structure, the spinal cord and brain, and their relation to one another, are doing much to facilitate the labours of those who desire to find, if possible, the connexion between mind and matter.

The other Royal Medal was presented to Mr. W. De la Rue, for his observations on the total eclipse of 1860, and for his improvements in Astronomical Photography.

“As General Sabine observes, ‘No one who has not seen Mr. De la Rue’s pictures of the moon can form an idea of their exquisite sharpness and beauty of definition; a result due to his employment of a reflecting telescope of an exquisite defining power, the large mirror of which was figured by his own hands, and by peculiar machinery of his own contrivance.’ To him is mainly due the construction of the photo-heliograph in use at Kew, which is regarded as a model

instrument in taking instantaneous sun-pictures; and as he has fully described in print his processes and instruments, he 'has thus deepened the feelings of obligation towards him by giving others the benefit of his long experience in the art.'"

Count Rumford's prize, for researches in Light and Heat, was bestowed on Professor Tyndall. With regard to this prize we extract the following observations:—

"Before Professor Tyndall commenced his researches, hardly any thing had been done in the way of an experimental determination of the absorption of radiant heat by gases and vapours. Now, there are five papers in the 'Philosophical Transactions' containing determinations of the absorptive power of numerous gases, with examples of modifying conditions; also of the radiation of heat by the same gases; of comparisons with liquid substances, and of the penetrative power of the heat radiated from various flames. Among the conclusions from these results are, that the absorption of radiant heat by our atmosphere is mainly due to its radiant heat; that gases, when heated, radiate heat in an order corresponding to that of their absorption; and that the opacity of a substance with respect to radiant heat from a source of comparatively low temperature, increases with the chemical complexity of its molecule. Referring to the latter fact, General Sabine observed, 'Whatever may be thought of our ability to explain the law in the present state of our knowledge respecting the molecular constitution of bodies, the law itself is, in any case, highly remarkable.'"

At the Annual General Meeting of the Astronomical Society, Mr. W. De la Rue was elected President, and R. Hodgson, Esq. and the Rev. C. Pritchard were elected Secretaries. Several useful papers were read during the year; among others, one by Mr. E. J. Stone, on "Mr. Nasmyth's Willow-leaves." This is a subject of remarkable interest since Mr. Nasmyth announced his discovery that the luminous atmosphere surrounding the sun was composed of flakes, in shape something like willow-leaves, each flake being about 20,000 miles long. Although Mr. Nasmyth's opinion is not accepted literally, it has set others to work in the same direction, and is causing at the present time a more accurate observation of the sun's atmosphere than has hitherto been attempted. Discussions have taken place in this Society relative to several points which were once considered to be well established, but which the advance of science shows to have been determined inaccurately. The distance of the earth from the sun, and of the moon from the earth, and the question, whether the moon has an atmosphere, have been brought forward this year. As to the last-mentioned subject, "the affirmative side has been taken by Professor Challis, whilst the Astronomer Royal adopts the negative. The former asserts that during a solar eclipse a bright band is seen bordering the edge of the moon, and this, he contends, is proof of the atmosphere surrounding the planet. The latter assumes the existence of a 'mean atmosphere,' but Professor Challis maintains that the atmosphere of the moon is one like ours, which decreases in density with its height."

The Anniversary Meeting of the Royal Geographical Society was held at Burlington House, in the month of May. The Patron's Victoria Gold Medal was presented to Captain Grant, so well known as the companion of the late Captain Speke in his perilous explorations. The Founder's Gold Medal was awarded to Baron C. von der Decken, for his surveys of the mountains of Kilimandjaro, which he considers to have an altitude of at least 20,000 feet.

The British Association for the Advancement of Science held its Annual Congress at Bath. It is rather singular, that a place which owes its reputation,

almost its existence, to the pursuits of pleasure, should have become, for once, the temporary abode of the industrious and learned. The list of officers contained the names of many men highly distinguished in various branches of science, and of several noblemen and other persons of mark. The following is a list of the most important officials :

## President.

Sir Charles Lyell.

## Vice-Presidents.

Marquis of Bath.	Archdeacon of Bath.
Earl of Cork.	Mr. Tite.
Earl Nelson.	Mr. Way.
Lord Portman.	Mr. Dickinson.
Dean of Hereford.	Mr. Sanders.

## Presidents of Sections.

A. Mathematical and Physical Science	Professor Cayley.
B. Chemical Science . . . . .	W. Odling, Esq.
C. Geology . . . . .	Professor J. Phillips.
D. Zoology and Botany (including Physiology)	Dr. J. E. Gray.
E. Geography and Ethnology . . . .	Sir R. I. Murchison.
F. Economic Science and Statistics . .	Dr. W. Farr.
G. Mechanical Science . . . . .	J. Hawkshaw, Esq.

At the opening of the Congress the Report of the "Kew Committee" was laid on the table. This report consisted of a number of details respecting the joint working of the Association with its Committee at the Kew Observatory. The particulars are partly merely financial, and partly too abstrusely technical, to be enumerated here.

The theatre was crowded in the evening, to hear the President's opening address. Speaking of the place at which they were assembled (and which had been selected, no doubt, on account of its geological peculiarities), Sir Charles Lyell said, among other things :—

"A dense mass of soil and rubbish, from ten to twenty feet thick, now separates the level on which the present city stands from the level of the ancient *Aquæ Solis* of the Romans. Digging through this mass of heterogeneous materials, coins and coffins of the Saxon period have been found; and lower down, beginning at the depth of from twelve to fifteen feet from the surface, coins have been disinterred of Imperial Rome, bearing dates from the reign of Claudius to that of Maximus in the fifth century. Beneath the whole are occasionally seen tessellated pavements, still retaining their bright colours, one of which, on the site of the Mineral-water Hospital, is still carefully preserved, affording us an opportunity of gauging the difference of level of ancient and modern Bath."

The President then went on to suggest the natural inquiry, whether hot springs are caused by temporary circumstances, to last, perhaps, a few hundred years, and then disappear, or whether they will endure from age to age, as long as the earth exists in its present form. He then proceeded to describe the analysis of the Bath waters, and gave a most interesting and elaborate *résumé* of the knowledge which we possess at present of similar phenomena. That this knowledge is of the most superficial kind, was evident from the very small amount of information that the distinguished President was prepared to give, but he gave



some very singular details as to their effects, from which conclusions might perhaps be drawn antagonistic to those which give to active combustion a large share in the constitution of the mineral system as at present existing.

"The changes which Daubrée has shown to have been produced by the alkaline waters of Plombières, in the Vosges, are more especially instructive. These thermal waters have a temperature of  $100^{\circ}$  F., and were conveyed by the Romans to baths through long conduits or aqueducts. The foundations of some of their works consisted of a bed of concrete, made of lime, fragments of brick, and sandstone. Through this and other masonry, the hot waters have been percolating for centuries, and have given rise to various zeolites—apophyllite and chabazite among others; also to calcareous spar, arragonite, and fluor spar, together with siliceous minerals, such as opal—all found in the interstices of the bricks and mortar, or constituting part of their re-arranged materials. The quantity of heat brought into action, in this instance, in the course of two thousand years, has, no doubt, been enormous, although the intensity of it developed at any one moment has been always inconsiderable.

"The study, of late years, of the constituent parts of granite has, in like manner, led to the conclusion that their consolidation has taken place at temperatures far below those formerly supposed to be indispensable. Gustav Rose has pointed out that the quartz of granite has the specific gravity of 2.6, which characterizes silica when it is precipitated from a liquid solvent, and not that inferior density, namely 2.3, which belongs to it when it cools and solidifies in the dry way from a state of fusion.

"But some geologists, when made aware of the intervention, on a large scale, of water, in the formation of the component minerals of the granitic and volcanic rocks, appear, of late years, to have been too much disposed to dispense with intense heat when accounting for the formation of the crystalline and unstratified rocks. As water, in a state of solid combination, enters largely into the aluminous and some other minerals, and plays no small part in the composition of the earth's crust, it follows that, when rocks are melted, water must be present independently of the supplies of rain-water and sea-water which find their way into the regions of subterranean heat. But the existence of water under great pressure affords no argument against our attributing an excessively high temperature to the mass with which it is mixed up. Still less does the point to which the melted matter must be cooled down before it consolidates or crystallizes into lava or granite afford any test of the degree of heat which the same matter must have acquired when it was melted and made to form lakes and seas in the interior of the earth's crust."

From this subject the President went by a not unnatural transition to the various questions arising from the discovery of marine shells in inland places, and from the numerous observations on stratification that form the leading topic of geologists at the present day. He concluded by saying, "But I will not venture on speculations respecting 'the signs of a beginning' or 'the prospects of an end' of our terrestrial system—that wide ocean of scientific conjecture on which so many theorists before my time have suffered shipwreck." It is said that "fools step in where angels fear to tread," and here we see that a veteran in the army of science hesitates to promulgate any crude surmises, while a mere student will prate to us about the origin of the earth, and an indiscreet preacher will predict the very year in which it is to come to an end.

The elections having taken place, it was announced that the Association would meet in 1865 at Birmingham, and that the President would be Mr. Phillips.

In the various sections a vast number of subjects, as usual, came under discussion, of which we can only give a brief summary.

In Section A, Mr. J. Glaisher and others read papers on luminous meteors and fire-balls (a word used to designate a meteor of large size); on the possible ellipticity of Mars, and the general appearance of his surface; on a suspected change of brightness in the lunar spot, Werner; on the importance of adopting methods for the detection of change in the moon's surface; on fog signals; on velocity of sound; on spectra of heavenly bodies (before alluded to); on the possibility of constructing ellipsoidal lenses; on the cohesive figures of liquids, &c. On the last subject some very close observations have been made, and experience has so far progressed that the author of the paper (Mr. C. Tomlinson) stated that he could distinguish by the cohesive figure between the oleines of beef and mutton fat when mixed together. The paper on meteors was an admirable *résumé* of the subject, as far as it is understood; and showed the extent to which minute and careful observation is being carried by meteorologists both in England and abroad.

In Section B, after a long and able speech from the President of that section, the report of the committee on Gun-cotton was read. What we know generally of gun-cotton is, that it appeared, when first introduced into English manufactures some years ago, to be so treacherous and difficult of management, that its use was for the time entirely abandoned. The object of the committee has been to ascertain whether it can be made and kept under such conditions as to ensure its usefulness without occasioning unnecessary risk. That the result of their inquiries has been satisfactory appears from the concluding sentences of the report. After mentioning that the Government appointed a committee in January to consider the subject, the report goes on to say:—

“The Messrs. Prentice, who were present at the Newcastle meeting, immediately established a manufacture of the article at Stowmarket, and which has furnished materials for many experiments on the use of gun-cotton for quarrying purposes. The Government committee is already engaged in a systematic course of experiments relating to the manufacture and keeping-qualities of gun-cotton, and its use in artillery, small arms, and engineering. Your committee, therefore, consider that their work is accomplished, since the application of gun-cotton to military purposes is now in a fair way of being investigated with greater facilities and means than could have been at their disposal.”

In this section papers were afterwards read on the thermal waters of Bath; on the analysis of a hot spring containing lithium and cæsium in Wheal Clifford; on utilization of sewage; on decay of frescoes, &c.

In Section C, the President made a most interesting speech, comparing the present state of geological science with that which existed some years ago, and pointed out the reasons that may be adduced for supposing that in spite of the great and unceasing labours of our predecessors, the most important investigations are yet to be made. Among other astonishing but not unsupported theories of recent geologists, Mr. Phillips mentioned that of Professor Houghton, that upon certain data which he adopts, 1,018,000,000 years must have elapsed while the earth was cooled from 212° F. to 122° F., at which temperature, he adds, we may suppose the waters to have become habitable; and 1,280,000,000 years in cooling from 122° to 77° F., which is assumed to represent the climate of the Eocene period in Britain. “Computations of this kind,” the President justly added, “cannot be applied, except on the large scale here exemplified, and they lose all their value in the eyes of those who deny the general doctrine of a cooling globe.” After the President's speech, which concluded with an earnest exhortation to

truthful inquiry conducted in a religious spirit, several papers interesting to geologists were read, but they were for the most part of a local character, or treating only of limited subjects. Three papers, however, were of more general interest, and were entitled as follows:—"Measures of Geological Time by Natural Chronometers," by the President of the section; "A Notice of the Latest Labours of the Geological Institute of the Austrian Empire;" and "Changes of Relative Level of Land and Sea in south-western Devonshire, in connexion with the Antiquity of Mankind."

Section D was opened by the President with a careful address, in which he distinguished the mode of research and classification now adopted in zoology and botany from that of our fathers forty years ago, and recommended arrangements for adoption in museums of natural history which would render them more useful to earnest students of the subject. Mr. Gray concluded his remarks by referring to the great efforts that have recently been made towards the acclimatization of animals of all kinds, and, in particular, the cultivation of fish and the introduction of the domesticated animals from one country into another. Papers were read on "Experiments respecting the Development and Migration of Entozoa;" "Shetland Dredging;" "Stylifer, a genus of quasi-parasitic Mollusca, with particulars of the European Species *S. Turtoni*;" "First Steps towards the Domestication of Animals;" on "Salmon Hatching;" on "The Decay of Species," &c.

The President of Section D, Dr. E. Smith, made a few remarks on the poor-law dietaries in England, the questions of diet in the army and navy, and the evils arising from want of proper supervision at the fountain-head, the systems of diet at hospitals and schools, and, finally, the Banting system, which he by no means recommended for adoption as a general rule. The opinions of the President will probably be summed up with tolerable accuracy in the following words:—Man, if left to himself, and allowed sufficient means, will generally live healthfully; but in cases where large bodies of men are provided for by others, more care and forethought are required than have hitherto been bestowed on the subject. The Rev. J. Slatter then read a paper "On the Dietary of the Agricultural Poor," from which it would appear that vast masses of our countrymen are indifferently fed, partly from want of means, but still more from want of judgment. It will follow as a necessary corollary that the wealthier classes should come to their help, not only by affording them better means of nourishment, but by giving them the benefit of the light that science sheds upon this important subject. The other papers in this section were of a more technical character, and therefore of less interest to the general reader.

Section E was probably the most popular at the meeting of last year, since the celebrated African traveller, Dr. Livingstone, was one of the vice-presidents, and Sir R. I. Murchison presided. The number of papers read in this section was enormous, and the President considerably confined his opening address to a few remarks on the progress of geography during the last half-century. Among the most interesting papers were those of Mr. Michie, "On China, Mongolia, and Siberia, in 1863," and M. Vambéry, "On the Turcoman Tribes of Central Asia." We have already mentioned the published accounts of the travels of these gentlemen in our summary of "Literature," so that it is unnecessary to make any comment here. A curious paper was read "On the Ethnology of the Iranian Race," in which an endeavour was made to trace the local origin of the Persian nation, on the supposition that the Persian or Iranian race were originally identical with the Hindoos. Numerous other papers were read, and we have not space to allude to them all, but the following may be mentioned:—On Desiccation of Inner



South Africa; on Early Migrations; on Ethnic Relations of the Egyptian Race; on Fixity of Types of Man. A certain proportion of the papers in this Section are necessarily rather records of travel than essays pertaining to geography or ethnology as a science.

The preceding observation applies (*mutatis mutandis*) to statistics even more generally than to geography. Those who travel through mazes of figures may do good service by arriving at general conclusions which lead to practical results. Still, statistics are rather a pursuit than a science, and although several interesting papers were read in Section F, it is not necessary that we should give a particular account of them here.

In Section G, the President made a short address in which he sketched out the advantage that mechanical knowledge gives to man over brute force, that use of reflection and combination which enabled man in the earliest ages to offer the bit and curb to a horse, and which is expressed in the brief saying, "Knowledge is power." The papers read were very numerous. Among others were—the Report on Gun-cotton, before alluded to; "On the Atlantic Telegraph Cable;" "On the Resistance of Bodies under Water;" "On Defence of Ships of War;" "On *Vis Inertiæ* of Railway Trains," &c.

At the concluding general meeting the financial statement showed an aggregate number of 2788 members and associates, including 1085 ladies; total subscriptions received 2964*l*. It is a significant indication of the extension of scientific ardour that so large a proportion of the fair sex should flock to these annual meetings. A committee was appointed to request the Home Office to grant six months' leave to Captain R. Burton, to explore the sources of the Niger, before proceeding to a post to which he has been appointed. It may be a question whether six months will be a sufficient time for such a purpose. At the same meeting several requests were acceded to, involving grants of money. The most important of these was a grant of 600*l*. for the Kew Observatory.

We have next to mention such discoveries and other marks of progress as may appear to show the various directions that the march of science is taking. In Photography, as a science, the advance is rapid. Mr. W. De la Rue, whose name occurs so often in the Transactions of various societies, appears to be the principal promoter of "Celestial Photography." Some years ago Mr. De la Rue succeeded in obtaining a sun's surface during an eclipse, from which it appeared that the sun, like the moon, is covered with vast projections, which, for want of any better name, we may call mountains. Fresh steps are continually being made in the same field. The application of photography to the examination of the celestial bodies is one of the most marvellous achievements of modern times, and it would be utterly futile to attempt to assign a limit to the results at which we may possibly arrive through its agency. The wonders of the telescope are great, and were once thought to be in their way unique; but the revelations of photography and spectral analysis bid fair to supersede them in the very field of inquiry where the telescope seemed once to be the only guide we could possibly expect to have.

In Chemistry, M. Marignac has made some advance, having discovered some new acids of which the base is silica. One of these is called silico-tungstic acid; another, silico-decitungstic. A third compound has been named tungsto-silicic. From a peculiar density in the solution of the salts of these acids, it has been suggested that they may be used for filling hollow prisms. M. Lemoine has discovered that in certain proportions sulphur and phosphorus will form a chemical compound. What practical use may come of this we cannot yet predict; but the discovery is interesting as a step in a comparatively new branch of investigation, that of the

combination of simple non-metallic solids. On the respiration of fruits and flowers M. Cahours has made some curious investigations, and he considers that he has established a proportion between consumption of oxygen and development of carbonic acid on the one hand, and the amount of perfume on the other. M. de Fauconpret has also made experiments in the same field.

It is said that the gigantic bird *Dinornis* of New Zealand, supposed to be extinct, is, very probably, still in existence. This creature is fourteen feet high. Professor Huxley has examined the bones of a specimen, and believes that the bird cannot have been ten years dead.

In Palæontology a remarkable discovery has been made. It had previously been supposed that the oldest relics of animal life were to be found in the Cambrian rock. Recently, however, an object has been found in Canada below the volcanic gneiss (which underlies the Cambrian rock), which, although mineralized, is believed to be of animal origin. This discovery, if the reasoning exercised on it is correct, takes back the existence of animals on the earth to an epoch far more ancient than was before assigned by geologists.

M. Namias is said to have discovered a new hygienic application of electricity, which, in the case of a patient suffering from "Bright's disease," causes the elimination of urea from the glands. This discovery, if true, is one of the most important recently made in medical science.

A very interesting process called Photo-sculpture (invented by Willième) has lately been introduced into England. It is said to enable the photographic artist to copy the features in solid stone as accurately as they have hitherto been transferred to flat surface.

We mentioned last year that the indefatigable Mr. Frank Buckland had succeeded in domesticating a living sturgeon in a tank in the Zoological Gardens. He has long been anxious to secure a porpoise in the same place, and after several vain efforts, has at last succeeded.

In the various departments of science some valuable works have been published. As we can only mention a few, we do not profess to arrange them according to any particular classification. Mr. T. C. Jerdon has brought out two more parts or volumes of his interesting work, "The Birds of India," a book which, "independent of its especial, technical, and scientific merits, contains matter interesting to the general reader," and "may be favourably recommended as an ornithological text-book." The "Journal of Botany," by Berthold Seemann, M.D., is a monthly publication, of which the first yearly volume was brought out early in the year.

"The plates are admirably executed, with all the fidelity and accuracy that have made Mr. Fitch so celebrated as a botanical artist. The paper and printing are also superior to most scientific journals; and in every way this journal is worthy of the support of those who are engaged in the study of plants."

Professor Ramsay's "Physical Geography and Geology of Great Britain" consists of a series of lectures given to working men, and treats the subject clearly and ably. Mr. Page's "Advanced Text-book of Physical Geography" is a very useful book, since it is so arranged as to be easily consulted and readily understood, and offers to the student the latest results of modern research. Mr. J. G. Jeffreys has published the second volume of his excellent work on "British Conchology," a "combination of scientific accuracy with popular information." A very curious book, by A. de Quatrefages, a member of the French Institute, has been presented to the British public by Dr. H. Lawson. It is entitled "Metamorphoses of Man and the Lower Animals," and seeks to show that man and the other animals may not have been always precisely the same as they are now; in other words, that the

parent animal may produce an offspring somewhat unlike itself, and that consequently there is room to suppose that species may undergo a gradual development.

In Chemistry, Dr. Miller has published another volume of his "Elements," and Mr. Galloway has completed his large elementary work under the name of "Second Step."

Professor Huxley has issued the first volume of a work entitled "Elements of Comparative Anatomy," containing a general exposition of the principles of that science, a detailed description of the cranium of men and other mammalia, and a sketch of the vertebral theory. Dr. Bowerbank's "British Sponges" is an elaborate work on all the species found in the British islands. The works on Natural History have been more numerous this year than those on almost any other branch of science.

Several controversies are going on between the learned on various scientific subjects. Doubts are plentiful, while positive and brilliant discoveries are few. But in every branch of knowledge there are abundant honest and able workers who are gradually feeling their way; and it may fairly be stated that scientific investigation, notwithstanding the absence of any very startling triumphs, is in as hopeful a state of general progress as can be reasonably desired.





# CHRONICLE.





## PART II.

### CHRONICLE

#### OF REMARKABLE OCCURRENCES

IN 1864.

#### JANUARY.

1. OPENING OF THE NEW SOUTHWARK STREET.—This day the Metropolitan Board of Works delivered over to public use their first new street, extending from High-street, Southwark (within 200 yards of London-bridge), to the Blackfriars-road, coming out exactly opposite the entrance to Stamford-street. It thus gives a direct and amply wide communication along Stamford-street and the York-road between London and Westminster bridges. When the southern embankment of the Thames and its roadway is complete, there will be one spacious unbroken road from London-bridge to Vauxhall. The actual length of the new street is 3255ft., and its width is 70ft. throughout, from end to end, or 10ft. wider than New Cannon-street. The novel feature in the construction of this roadway is the formation of a subway in the centre of the road. This subway is an arched passage, 12ft. wide and nearly 7ft. high, built of the most solid and probably the most carefully finished brickwork that has been seen for years. From this subway, side passages, each 4ft. high by 3ft. wide, lead to the cellars, which are already built beneath the footwalks, in anticipation of the houses which are to follow. In this subway the gas, water mains, and telegraph wires are to be laid, the side passages conveying the two former necessities direct into the cellars, and thence into the houses themselves. The object of this subway is, to do away with the nuisances caused by the stoppage of thoroughfares when a careless workman happens to make a bad joint in a gas or water main, or whenever an accident happens to either, and the street has to be stopped, and the pavement to be taken up to get at them. This subway is wide and high enough to allow of any repairs of this kind being carried on with the

most perfect ease, and at each end there are entrances sufficiently large to admit all necessary materials. As with the gas and water, so with the sewers. The drains from the future houses are formed of strong stoneware pipes, passing at a rather steep incline beneath the subway into the main sewer, which is placed below the floor of the subway in the centre, but not so deep but that it can instantly be opened for repairs or removal of stoppages.

8. ACCOUCHEMENT OF THE PRINCESS OF WALES.—The Princess of Wales was happily delivered of a Prince at two minutes to nine o'clock p.m., at Frogmore House. The Prince of Wales, Earl Granville, and the Countess of Macclesfield were present at the birth. Dr. Brown, of Windsor, was in attendance upon the Princess, in the absence of the physicians appointed to attend Her Royal Highness, consequent on the auspicious event being premature.

The joyful event of the birth of the Prince at this time was quite unexpected, as the accouchement of the Princess was not anticipated until March. It was intended that the confinement of Her Royal Highness should take place at Marlborough House, and the Princess was to leave Frogmore for London in about a fortnight. For several days previous the Princess had been slightly indisposed, suffering from catarrh and cold. Her Royal Highness, however, had sufficiently recovered to be able to be present at a skating party at Virginia Water on the 8th. Upon returning to Frogmore, the Princess became so unwell that the Prince of Wales sent a telegram to the Queen at Osborne announcing the condition of Her Royal Highness, and a messenger was despatched for Dr. Brown, who arrived at seven o'clock, and at two minutes to nine the Princess was safely delivered of a healthy Prince. Messages had been sent for the medical men who were appointed to attend the Princess, and for Sir George Grey; but the Prince was born long before they could reach Frogmore. Dr. Sieveking was the first to arrive from London. He was followed by Dr. Farre and Dr. Gream, and later by Sir Charles Locock. Sir George Grey arrived at eleven o'clock. The event being premature, there was no nurse in attendance, and no preparation had been made at Frogmore for the advent of the Prince. A telegram was despatched to the Queen immediately after the birth of the Prince. Earl Granville was the only representative of the Cabinet present at the birth. His presence was owing to his having been invited to shoot on the following day with the Prince of Wales.

The next day Frogmore was the scene of great excitement, each train from London bringing Cabinet Ministers, members of the household, and large numbers of the aristocracy, to offer their congratulations to the Prince of Wales.

The unexpected announcement of the birth of the Prince was received with joy by all classes. The event was announced to the Mayor of Windsor by Lieutenant-General Knollys, when the bells of the castle chapel and St. John's Church were rung. Royal

salutes of twenty-one guns were fired by the town bombardiers from the mound in the Bachelor's Acre. The houses of the principal inhabitants were also adorned with flags and banners.

In London, the Lord Mayor received the announcement of the happy event from Sir George Grey on the morning of the 9th. The bulletin was immediately posted in the front of the Mansion House. A double Royal salute was fired from the guns in the parks; a salute was also fired from the Tower; and the bells of many of the City churches were rung. A committee of the Lords of the Queen's Privy Council assembled in the Council-chamber, Whitehall, when it was ordered that a form of thanksgiving for the Princess's safe delivery of a Prince should be prepared by the Archbishop of Canterbury, to be read in all churches and chapels upon Sunday the 17th.

Thanksgiving prayers were offered up for the Princess in the Chapel Royal St. George, and in the various churches and places of worship in Windsor and Eton.

A special Court of Common Council was convened by the Lord Mayor, at the Guildhall, for the adoption of addresses of congratulation to the Queen and the Prince and Princess of Wales upon the auspicious occasion.

The recovery of Her Royal Highness proceeded without interruption, and the infant Prince, though his arrival into the world was earlier than anticipated, proved to be a thriving and healthy child.

9. TERRIBLE EXPLOSION AT LIVERPOOL. — The bark "Lotty Sleigh," Captain Webber, lying in the Mersey, with several tons of gunpowder on board, caught fire. The vessel had left the west side of the King's Dock, with the tide, in charge of a pilot, and proceeded to her anchorage in the Mersey, off Monk's Ferry, bound for the west coast of Africa, with a general cargo; she had also on board 940 quarter-kegs of powder, in all about  $11\frac{1}{2}$  tons weight of that destructive commodity, which was stowed away in the after-hold of the vessel, immediately beneath the captain's state-room. Shortly after six o'clock p.m. the steward of the vessel was in the act of filling a lamp from a can of paraffin oil, when by some means at present unexplained that inflammable liquid became ignited. The can was instantly dropped by the steward, who was horror-stricken to see its flaming contents flowing along the cabin floor, and instantly igniting the curtains and bedclothes of the captain's sleeping apartment. To arrest its progress was impossible, and shortly afterwards the fiery stream poured through the grating of the lazarette, and communicated with the cargo stowed in the after-hold. It was immediately seen that no hope of extinguishing the flames could be entertained. The Rock Ferry steamer "Wasp," Captain Joseph Hughes, left Rock Ferry at six o'clock, and as she steamed up the river the attention of the passengers and crew was excited by a great noise on board the



"Lotty Sleigh," which in the first place gave rise to the impression that there was either murder or mutiny on board. On nearing the vessel, however, they were hailed with cries to come alongside and take off the crew, as the vessel was on fire, and there was a great quantity of gunpowder on board. The "Wasp" hove alongside and made fast to the ill-fated ship. The crew immediately jumped on board the steamer, some of them only half dressed, and in such a hurry did they leave that no one even remained to let go the rope by which the steamer was made fast to her, but by a vigorous effort it was "hitched" off from the deck of the steamer. The "Wasp" then took away the crew, and landed them at the George's Landing-stage. About twenty minutes past seven o'clock the contents of the vessel blew up with a report which it is hardly possible to describe. The simultaneous explosion of 500 pieces of heavy ordnance could not have produced so terrible and alarming a shock. Its effects in every part of Liverpool were severely felt, and created indescribable terror. At the same moment the most solid blocks of warehouses, offices, and private dwellings were shaken to their base—doors, locked and even bolted, were thrown wide open—hundreds, even thousands, of squares of glass were smashed—and to add to the alarm, the entire line of lamps through the greater portion of the streets was extinguished, rendering it difficult to pass from place to place, and jeopardizing the safety of those who rushed forth to ascertain the cause of the consternation. The fear which prevailed was particularly experienced by the poorer inhabitants, who poured forth from court and alley screaming for deliverance from some unknown danger, and dragging their helpless children at their heels. Crowds ran first this way and then that, inquiring what was the cause of the alarm. Now one reason was assigned and then another, and as some vague rumour was circulated pretending to the disclosure of the origin of the casualty, the crowd rushed to the spot, only to be left in the more bewildered state of amazement and uncertainty.

The spectacle which the burning vessel presented at the moment of the explosion was one of the most frightful yet grand which could have been witnessed. The flames had enwrapped the whole of the lower portion of the vessel, but had not burst forth and ignited the rigging. Suddenly a sound that made the solid earth to heave and reel burst upon the ear, and the black hull belched forth a hideous volume of flames, illuminating the heavens and casting its lurid light on either shore and over the vessels lying at anchor in the Sloyne and the river. High in the air the yards, masts, and, in fact, the whole of the upper portions of the vessel, were thrown by the force of the explosion, and fell, like fiery hissing serpents, into the waters all around. Bolts, portions of the hull, and fragments of the lighter parts of the ship were propelled as far as either shore, some pieces falling

upon the steamboats lying near the landing-stages. The hull was riven into a thousand pieces, and immediately the smoke had cleared away portions of the burning mass were seen floating down the river with the ebb tide. Of these at one time nearly a hundred were perceptible, and as they floated down the stream presented a very singular appearance. They were traced for a very considerable distance, but eventually the lights were extinguished by the water dashing over them, and no mischief was occasioned by the burning pieces. Shortly after the explosion a portion of the hull floated past the Woodside ferry-boat, that vessel being compelled to shut off steam to avoid coming in collision with it as it came down the river.

In many of the streets the inhabitants rushed out in the belief that an earthquake had taken place. Plate-glass, shutters, and doors were thrown out in Castle-street, Lord-street, Dale-street, and many other quarters. Along the whole line of docks the shock was felt with great violence, and the utmost consternation was caused. The damage, however, was chiefly confined to the breakage of windows, those facing the river having especially suffered from the effects of the concussion. The force of the blast seemed to have varied in an unaccountable manner; at one house, the whole of the windows would be shattered into a thousand fragments, and the very next would perhaps have escaped with none or very slight damage. As a rule, corner premises seemed to have suffered most, and these were chiefly public-houses, the plate-glass fronts of which were sadly mutilated. No personal injury seems to have been sustained, though there were narrow escapes. At the Southern Hospital the shock was severely felt, the whole building distinctly vibrating. All the gas-lights went out at once. The impression was that an explosion of gas had taken place in the house; the gas at the meter was therefore turned off immediately. Many of the patients rushed into the street in their night-dresses—some with broken legs crawling out upon their hands and knees; and, had it not been for the admirable coolness of the house surgeons, backed most ably by the porters and nurses, the consequences might have been dreadful. The poor sufferers were soothed and removed to their beds as soon as possible, and in about half an hour the hospital resumed its usual quietude. The only damage done was the blowing off of some of the ventilating gratings in the wards, and the smashing of several of the windows. The streets of Liverpool were densely crowded for hours after the occurrence, and it was near midnight before a feeling of conscious security returned. Some idea may be formed of the terrific effect of the explosion when it is mentioned that the report was heard at Chester, the authorities of that place having telegraphed to Liverpool to know what was the cause of the tremendous report which they had heard. The explosion was felt with terrific force at Birkenhead. The public lamps and nearly the whole of the gas-lights

in the shops and private houses were instantly extinguished, and people rushed into the streets, exhibiting the utmost terror. The thoroughfares, especially those leading to Woodside Ferry, were soon crowded with persons eager to ascertain whether any lives had been lost. Some of the falling bolts and the shattered spars from the ill-fated vessel fell upon houses and in the streets. The whole township appeared like a place which had been attacked by an invading army, so general was the destruction of property. The appearance of Liverpool, as seen from Rock Ferry after the explosion, was very remarkable. Instead of the illumined scene usually witnessed, all was dark and gloomy, the lamps along the river side, as well as those in the town, having been extinguished by the shock of the explosion. The aspect of Liverpool was most singular. In Brunswick-street, Castle-street, Lord-street, Dale-street, and Lime-street the utmost confusion arose. Each inhabitant thought his neighbour's house had fallen to the ground, and on rushing into the street his fears were intensely increased. Total darkness existed on all sides, and the noise and tumult on every hand increased the horrors of the moment. The earth seemed to have been convulsed; women and children were screaming in all directions; horses and carriages were rushing about the streets endangering the lives of people; crash after crash was heard, and the belief that the final day had arrived took possession of many minds. Nearly all the leading shops suffered from the shock, and in many instances considerable damage was done.

— EXECUTION OF LUKE CHARLES FOR MURDER.—This unfortunate man, who was sentenced to death at the Liverpool Assizes for the murder of his wife, suffered the extreme penalty of the law at Kirkdale Gaol, in the presence of a very large concourse of spectators. The prisoner, previous to 1854, was a member of the Irish police force stationed at Heath, near Emo, county Wicklow. In the Christmas of that year he married the unfortunate deceased, but they did not live together. In Ireland the police are amenable to military and very rigid discipline, and, as they live in barracks, they are not allowed to marry without leave; and it unfortunately happened that Charles did not obtain permission when he made the deceased his wife. He lived in barracks, she remaining with her friends. After Charles had been married two or three years he formed the acquaintance at Emo of a girl named Ellen Ford, to whom he proposed marriage, and Ford, thinking him a single man, accepted him. The prisoner did not fix any time for marrying Ford, telling her he would do so as soon as he could procure a situation in some police force in England. The prisoner left Ireland in 1861, and on the 2nd of April in that year he called at the house of a sister of his wife's, named Julia Dunn, who lived at Pendleton. He remained for some time at Pendleton, and after reporting himself to the police authorities at Preston he was sent to Bury, where his wife joined him in lodgings at the house of Mrs. Porritt, a widow. Mrs. Porritt had a daughter,



Amelia Farrar, and on the evening of the 13th of February both Farrar and her mother saw Charles and his wife going (though not together) in the direction of the Bury station, whence trains left for Manchester. Mrs. Charles told Mrs. Porritt that she was going to Pendleton to see her sister Dunn, and that she would return about nine o'clock the same evening. She did not return, but the prisoner returned to Mrs. Porritt's, and when asked what had become of his wife, he gave a variety of evasive and unsatisfactory replies, which excited suspicion and uneasiness. At one time he stated that she was in county Wicklow, at another in Dublin, and so on. On the morning of the 14th of February, 1863, the body of a woman was found in the canal near Pendleton, but, as it was not identified at the time, it was buried. This body, however, was that of Mrs. Charles, though the discovery did not take place until the following August. In the mean time Charles had been over to Ireland, and had seen Ellen Ford, and though he could not obtain the priest's sanction to their marriage, he induced Ford to come over with him to England, and after staying with him (though not as his wife) for a short time in Bury, she afterwards went to the North of England to stay with a sister until the arrangements for her marriage with Charles could be completed. But the anxieties and suspicions which had never ceased to haunt Julia Dunn as to her sister's fate prompted her to seek counsel and aid from the police authorities; and the result was that the body found in the canal on the 14th of February was clearly proved to be that of Mrs. Charles, and, by a chain of circumstantial evidence, which the jury could not resist, the guilt of murdering his wife was brought home to her husband, who was accordingly at the December Assizes condemned to death. About 6000 persons were present at the execution. The wretched man died firmly, and made no confession. The crowd was quiet.

11. OPENING OF THE CHARING-CROSS RAILWAY.—The Charing-cross Railway was fully opened for traffic. There was no special ceremony used, but the trains were well filled, especially those running from London-bridge westward to Hungerford-market. The line embraces two schemes—viz. the line from London-bridge to Charing-cross, and the line from Charing-cross to Cannon-street; for, although they are legally distinct, they are practically one, and from the junction at the Borough-market, where the Cannon-street branch diverges across the Thames, both run on the same viaducts to Charing-cross. The line leaves the London-bridge station by a rather sharp curve of little more than 500 feet radius—a quick turn, which was introduced to propitiate the Governors of St. Thomas's Hospital, and to avoid, if possible, the necessity of buying that costly property. Two girder bridges carry the line over the approaches to London-bridge, and a viaduct on iron columns carries it through the Borough-market. From that point the line is continued, with scarcely any curves or

inclines, through the poor neighbourhood lying between the Borough and Blackfriars, across the Blackfriars-road and parallel with Stamford-street to the Waterloo-road, where it makes a junction with the South-Western station, which it enters by a single line of rails. From this it continues in almost a straight line across the York-road and the Belvidere-road to what was once Hungerford Suspension Bridge, but which has now been converted into a railway-bridge. On this the line is taken over the site of Hungerford-market to the splendid station at Charing-cross. Although the line is only about two miles in length, there are fourteen iron bridges across streets, two iron viaducts on columns, two junctions made with other lines, and two immense railway-bridges across the Thames. The bridge which is to take the line to Cannon-street has only recently been commenced. It is to be in five spans, three of 135ft. and two of 125ft. It will be 34ft. from the water, and 64ft. in extreme width.

28. DREADFUL OCCURRENCE AT THE AGRICULTURAL HALL.—This morning loud screams were heard at the Agricultural Hall, Islington, proceeding from the direction in which the lions are kept in their caravan during the intervals of the performances. An impression at first prevailed that some of the animals had escaped, and were making an attack upon those who happened to be in their way. The truth, however, was at once made manifest by seeing the body of an unfortunate man, named Thomas Greaves, who has within the last two or three days commenced his duties as keeper and feeder of the animals, drawn up close to the cage, and hearing from him the piteous cries and screams referred to. Some of the men immediately seized the long iron rods with a species of hoe at the end, by which the cage is cleansed, and rushed to the spot. It was then discovered that one of the larger lions had the unfortunate man Greaves's right hand in his mouth, while another had seized him by the thick part of the fore-arm, and had dragged the limb through the bars of the cage nearly up to the armpit. Having no hot irons, the men at once set to work belabouring the lions over the heads and eyes, in order to make them loose their hold. This at the outset only tended to increase the ferocity of the animals, which, with loud yells, commenced tearing the flesh from their poor victim's arm and hand with their claws. It was not until the brutes were nearly blinded with the blows inflicted upon their eyes that they were induced to relinquish their gripe, when poor Greaves was drawn away with his mangled limb through the bars, and fell fainting into the arms of those who had rescued him from his horrible position. He was at once conveyed to the Secretary's offices, insensible and deluged with blood. Dr. Thomas, of Cloudesley-street, and another medical gentleman in the neighbourhood were sent for, and attended in a few minutes, and administered brandy and other stimulants. It was then discovered that the hand was bitten completely through, and the flesh was torn off the arm in most parts to the bare bone, very

nearly from the shoulder to the wrist. A more frightful specimen of mutilation it is almost impossible to describe. Dr. Thomas and his medical colleague, having placed the mutilated limb in bandages, had the poor fellow placed in a cab, and accompanied him to St. Bartholomew's Hospital, where, on examination by the surgeons of that institution, and after a conference, it was understood that, in consequence of the frightfully mutilated state of the arm and hand, amputation would be absolutely necessary so soon as the sufferer should have sufficiently rallied from the first shock to the system. Greaves had, within the last day or two, commenced to feed the lions, so that they should know him. He had even, it is stated, had the courage to go once into their den and feed them. At the time of the occurrence he was engaged pushing some straw between the bars, either to keep it in the cage, or to attract their attention, and further familiarize himself to them. While doing this, one lion suddenly made a spring upon his hand, and, fastening its fangs into it, drew him by the arm inward. The roar and excitement of the first animal attracting the attention of the second, it sprang upon the arm and mutilated it in the manner described.

— DEATH OF A BALLET GIRL.—An inquest was held by Mr. John Humphreys, Middlesex coroner, relative to the death of Mary Anne Thorne, better known as Madame Marie Charles, the Columbine at the Pavilion Theatre, who lost her life by being burnt on the stage. Mr. Donne attended to watch the case on the part of the Lord Chamberlain, and Mr. Robert Peckham appeared on behalf of the relatives of the deceased. The evidence went to show that on the evening of the 6th of January the deceased stumbled, and that her dress went over a "water row" and became ignited at a row of gas jets immediately behind it. There was a ground rail four feet in advance, and it was alleged that deceased had no business to go inside it, and also that no wet blankets were kept in readiness in case of accident. Eliza Ogden, 58, Banner-street, St. Luke's, a young woman twenty years of age, deposed that she was the "child" referred to in the previous examination, on whom the deceased was leaning at the time of the accident. They were both between the first and second rows on the stage. The gas-lights were behind the second row. Deceased said to witness, "Step in here, dear." They had been cautioned not to go in there, but deceased asked witness to step in nearly every night. The witness's face being turned towards the audience, she only knew deceased was on fire by the glare. She got hold of the deceased to assist her, but some one dragged her away as she was also dressed in gauze. The witness had not heard the stage carpenter call out to come from between the rows. When the deceased was on fire coats were brought, and also a counterpane or blanket. A blanket was always kept on one side of the wings, and a rug at the other. Witness's dress was found her by the theatre, but she had to wash it herself. The proprietor could have



seen that they were between the rows, but he possibly might not have observed them. The witness did not like to go in between them, but she felt bound to obey the Columbine, who was above her. The witness had often said to the ballet girls that she did not like to go between the rows, but she did not remonstrate with the Columbine. Robert Warden said that he was the Sprite at the Pavilion Theatre. He was not on the stage at the time of the accident. He saw some one bringing a blanket. As they were about to throw it over the deceased, she said, "Don't let these men near me; send me ladies." A man wrapped a blanket round her, and carried her in his arms to the hospital. The fact was notorious that deceased used to go in between the rows. Deceased said to the witness in the hospital that she took fire entirely through her own fault in getting over the ground piece. H. W. Stacey, laboratory man at the London Hospital, said that he was in the theatre when the deceased caught fire. He got on the stage and carried her to the hospital in a blanket. He did not notice whether the blanket was wet. Mr. H. Henry, an actor in the pantomime, said that he threw the blanket over the deceased; it was damp, but not dripping wet. It was not that blanket which was used in the previous scene—a gallows scene. The footlights were protected by wires. If wires had been over the lights behind, the accident could not have taken place. The hospital nurse who received deceased on her admission said that the blankets were damp,—wettish. Mr. Campbell said that he took the theatre in 1856, and he then received instructions respecting the provisions to be made against fires, &c. In 1863 he received a circular from the Lord Chamberlain suggesting further provisions, and he had acted upon it; but he had mislaid the document. He had caused the footlights to be protected, and wet blankets and fire buckets to be kept. He had never seen a temporary row of lights protected by guards. He had for a long time refused to have that particular row of gas jets put up, as he considered them dangerous, but the artist insisted, as the effect of the scene was marred without it. He had frequently cautioned the company not to go inside the outer ground row. The jury, after some deliberation, returned the following verdict:—"That the deceased died from the effects of burns arising from her dress taking fire at a ground light while performing on the stage at the Pavilion Theatre, and that her death was accidental; and the jury recommend that in future the dresses of the ballet dancers should be rendered unflammable, and that all ground lights should be protected, and the Coroner is requested to forward these suggestions now to the Lord Chamberlain."

— APPALLING CALAMITY AT SANTIAGO. TWO THOUSAND LADIES BURNT TO DEATH.—The West India mail steamer "Atrato," which arrived at Southampton, from St. Thomas, brought the intelligence of a terrible calamity at Santiago, the capital of Chili, resulting in the sacrifice of no less than 2000 persons, principally

ladies. This shocking catastrophe resulted from the Church of La Compania taking fire during the celebration of the Immaculate Conception—a doctrine promulgated at Rome in 1857, and in honour of which special devotions, lasting from November 8 to December 8, are ordained by the heads of the Roman Catholic Church. The period of special devotion was about to terminate when the catastrophe took place, the unfortunate victims principally belonging to the chief families of Santiago, and representing the youth, beauty, and fashion of that capital. The following account of this calamity is chiefly taken from the local newspapers, and the accounts of eye-witnesses of the tragedy:—

“One subject occupies the mind in this republic, the particulars of which make men’s blood run cold, and the awful news of which will be received in every part of the world with the utmost horror. We do not remember to have heard of such a calamity—so sickening, so awful. The country seems to be stricken, and no wonder, under this awful judgment of God. All political matters are suspended for the present. Men can think of nothing but this calamity; for in Santiago, scarcely a family but mourns some of its number, having searched in vain for a vestige of their remains, while whole families have entirely perished. Nearly 200 cartloads of burnt corpses have been taken from the awful pile and carried to the cemetery, where fifty men were too few to dig a hole large enough to bury what the fire had left of the richest and best families of Santiago.

“Perhaps never in any country has a calamity so dire and unmitigated, so sudden and awful, ever happened. It is scarcely known how much influence the priests of the Church of Rome exercise amongst the people of these republics; but for some years past all reason seems to have been banished from the minds of chiefly the female part of the people of Santiago, and a return has gradually been making to a worse than pagan idolatry in their worship. Since 1857, the year of the invention at Rome of the Immaculate Conception of Mary, the church of ‘La Compania’ has been the focus of devotion of a large number of the ladies of Santiago, and every year, from the 8th of November to the 8th of December, was carried on a celebration in the most splendid style—a festival in which was orchestral music, singing, and an astonishing prodigality of incense, and lights of every kind. Every corner of the building, from the ground to the ceiling, and especially about the altar, was a sea of muslin and drapery, flooded with every variety of illumination. But, not content with such display, the chief priest of the church, a man named Ugarte, would outstrip the Catholic world, and had invented a ‘celestial post-office,’ by which direct communication by writing was obtained with the Virgin Mary, and in which offerings accompanying the letters were to be deposited. The same man recently got up a religious raffle for the benefit of the Virgin;

but it was on the evening of the 8th of December that these celebrations were to reach their climax."

The church of La Compania, built in the end of the seventeenth century, had a spacious nave, but a roof of painted wood of very recent construction. The only door of easy access was the principal door, the small side doors opening only half, and obstructed with screens. Near the high altar was a small door into the sacristy. This evening was the closing day of the month's celebration. Over 3000 women and a few hundred men had crowded into the church. Ugarte was to give a closing discourse; the nuncio from Rome, Eizaguirre, was also to preach; and hundreds had turned away from the door, unable to obtain admittance. Those who had the best places had been admitted early by tickets, and were mostly young ladies, the flower of the beauty and fashion of the capital. The building was decorated in the most unparalleled style of splendour; huge draperies of crimson velvet, satin, and cloth of gold, hung from the groins of the arches to the floor; apart from 2000 wax tapers arranged round the high altar, great festoons of variegated paraffin oil lamps were strung from pier to pier, going the whole round of the building, which it is asserted on that evening contained upwards of 20,000 lamps in full blaze. The ceiling was decorated with hundreds of yards of blue and white gauze, arranged in imitation of clouds, and thickly spangled with silver stars; in fact, nothing had been spared by Ugarte to act up to his boast of outdoing the decorations of St. Peter's. As a means of meeting the enormous outlay necessarily incurred in the pursuance of his object, he had, on the last three days preceding the eventful night, placed fabulous prices on the tickets of admission, which, notwithstanding, were most eagerly sought for by hundreds of fair devotees belonging to the wealthier and more aristocratic families of the city. This accounts for the comparatively small number of deaths recorded among the humbler classes of the community. At six in the evening the building held within its walls 2600 individuals, three-fourths of whom were females. Gentlemen who had retained reserved seats, true to the Spanish character, readily relinquished them in favour of the ladies, and were content to stand round the pillars, in the corridors, about the doors, &c., little knowing that by this simple act of politeness they were procuring their own safety, and consigning to a horrible fate their fair companions.

At half-past six, though the temple was crammed to suffocation, the crowd clamoured for admittance, and pressed against the closed doors. At a quarter to seven the High Mass began with all the pomp and splendour customary on such occasions, the perfume of the frankincense began to pervade the building, and the plaintive sounds of the organ seemed to inspire feelings of holy awe at the grand solemnity of the occasion.

The staff of acolytes, who it is said had been busily engaged



since two in the afternoon lighting the endless festoons of lamps, now reached the precincts of the high altar, all the tapers were safely lit, and there remained but to ignite a silver crescent containing paraffin, which had been placed at the foot of a large image of the Virgin. A careless acolyte, it seems, mismanaged the lighting of this, and the flame rising to an extraordinary height came in contact with the muslin and gold draperies round the altar. These, from their light and inflammable texture, immediately communicated the fire to the cloth of gold canopy above, which in its turn was soon in a blaze, and quicker than thought all the contiguous decorations were in flames.

For about one minute—only one minute—the congregation never moved, evidently in the hopes that the hand of a merciful God would stay the conflagration. But He in His wise resolves had ordained it otherwise. The fire spread rapidly round the building, and the sparks and cinders of the smouldering velvet flying towards the roof ignited the masses of artificial gauze clouds which formed the temporary ceiling.

What human pen can describe the scenes that ensued! What combination of words can be employed to convey an idea of the emotions experienced by those within the burning pile, and by their frenzied husbands and brothers outside, who, aware that but little or no assistance could be rendered to those dearest to them, were only able to lift up their prayers and supplications to God!

To escape from the building was to those in the body of the church an impossibility. The first act of the gentlemen collected round about the doors and annexes was to attempt a passage through the densely-packed throng of ladies into the centre, where many had left their wives and daughters. Seeing this, however, was utterly impossible, they allowed themselves to be carried along in the stream of living souls that were making towards the doors. Once arrived in the open air, every body, instead of moving away to make room for his neighbour, endeavoured to re-enter the building in search of some lost friend or relative. There were many ladies also about the annexes who, in ignorance of the true state of affairs, did not rise from their knees (for fear of losing their places) as quickly as they should have done. The consequence was, that those from the centre of the church pressing on towards the doors, stumbled over them; those next behind fell over these last, and in five minutes great walls, twelve feet high, of fainting, trampled, and dying girls, entangled in each other's dresses, barricaded the only three exits that the church possessed, thus excluding from all outward help upwards of 1800 ladies, who now saw themselves face to face with death.

The conflagration had now made rapid progress, and the inside of the great dome was enveloped in flames. Drops of molten lead (which metal had been largely employed in the construction of the building) poured from above on the heads of the surging multitude.

The flames at last reached the festoons, on which thousands of paraffin lamps were strung, and, snapping the cords asunder, dashed the coloured globes and their contents on the heads of the people, enveloping them in one sheet of liquid fire. Crash succeeded crash as the devouring element reached each pier, causing each festoon to give way, while from the crumbling dome above there descended a rain of firebrands and live cinders, scattering death and destruction all around. From the windows of the opposite houses people could be seen rushing to and fro amid the flames in the body of the church; others stretched out their hands and implored Heaven to commiserate them; and high above the roaring flames could be heard the piercing cries of agony. The gigantic bell in the side tower tolled loud and long for assistance, sounding the alarm for many miles round the metropolis, until at last, when the foundations of the belfry gave way, it fell from its tremendous height with a terrific crash to the earth, making in its passage through the air the most extraordinary sounds.

At about eight the loud and continued cries and wailing within the temple had become very faint; at a few minutes after that hour a greater part of the roof fell in with a deafening crash. Then followed the silence of death. Thus perished, in one short hour, the flower, the beauty, youth, and pride of the capital.

Though the utmost order and discipline prevailed among the police and fire-brigade departments, they completely failed in clearing the approaches to the doors of the church; the maddened throngs pressed forward, and rather than survive their fearful losses, attempted to force a passage into the huge furnace from which they had but a few minutes before narrowly made their escape.

Notwithstanding these great obstructions, the gangs of men at the doors worked well and incessantly, and upwards of two hundred ladies were extricated from under the terrible living weight which was crushing them to death, though, horrible to relate, many of them had their arms completely wrenched from their bodies, while the generality suffered fearful contusions, fractured limbs and ribs, and other injuries and disfigurements.

Feats of great valour and heroism were performed by many individuals on the spot. Amongst other incidents it may be noticed that Mr. Nelson, the American Ambassador, who was accidentally in the neighbourhood, hearing the tolling of the great bell, ordered his coachman to drive to the spot; on alighting from his carriage he rushed to the grand entrance, and arrived in time to witness the crushing and mangling of thirty ladies by the crowd from behind. He immediately set to work, and others incited by his example joined him in his noble efforts. He was instrumental in saving the lives of about fifty young ladies, and never deserted his post at the threshold of the doors until the roof had

fallen in, when a complete shower of sparks and cinders seemed to envelope him. He was carried from the spot, with his clothes smouldering and every particle of hair on his body singed to the roots.

All the doors of the neighbouring houses had meanwhile been opened for the reception of the dying and the wounded. The Palace of the Chambers, the Senate, and the lobbies of the Chamber of Deputies opposite, were crowded with dying girls, whose moans rent the air. Many were laid down to die on the crimson benches of the Senate, and the great house of the representatives of the nation, in all its pomp and gilt trappings, was for a time turned into a charnel-house. The long line of carriages awaiting the return of those who had perished in the flames was now turned to account, and conveyed great numbers of ladies to their homes or to the hospital, where both English and native surgeons and physicians were in attendance.

The fire-engines worked well and unceasingly, but no power of water could ever have extinguished the mass of inflammable matter, such as gauze, velvet, muslin, tissue, ladies' veils, fans, and mantillas, saturated with paraffin and thousands of pounds of wax from the melting and flaring tapers that flowed down the steps of the altar. Among the first arrivals on the spot soon after the alarm had spread was Don Bascunan Guerrero, the Governor of Santiago. He knew that his young sister and his niece were in the church being devoured by the flames or crushed to pieces in the annexes, yet he never swerved from his duty, and rather than sacrifice the public welfare to his own feelings he preferred to superintend in person the operations of the police, while he entrusted to some friends the search for his dying sister.

Shortly after eight His Excellency the President arrived from the palace, attended by an escort of 400 body-guards, and accompanied by some of the Ministers. His Excellency, alighting from his carriage, placed it at the disposal of the mother of three dying girls, who were immediately driven to the hospital. The guards were stationed in groups along the streets, and preserved order and decorum. During the night the Zoological Museum caught fire, and the sparks and cinders were borne on the breeze and deposited in all parts of the town. After three hours, the fire companies got the better of the flames, and it is said that the museum experienced no loss. Shortly after midnight the great work of exhumation began. Most of the Foreign Ministers were present, and sympathized with His Excellency the President on this great national calamity. Before daylight a long regiment of police waggons were in the vicinity of the ruins, and before the sun had again sunk in the horizon 160 waggon-loads of charred and blackened corpses were deposited in the Pantheon for the inspection of disconsolate parents and friends. The official reports gave a list of 2000 dead, mostly ladies, from the ages of fifteen to twenty.



Who can picture the condition of the miserable city upon that night? Scarcely a family but had lost some valued or darling member; one-fiftieth part of the female population burnt to death in less than a half-hour; all classes suffering equally—ladies of the first rank in society, the tradesman's wife, and the humblest domestic servant, all perishing absolutely in one another's arms. The sister of the Governor of the city was one of the victims, and in the list of those who perished were whole families; ladies with their daughters and their entire staff of female domestics. One gentleman of wealth, Don R. Ovalle, lost his wife and five daughters. Out of some households nine or ten females perished; one schoolmistress with a number of her pupils; and one or two instances occurred of entire families leaving home to attend the ceremony at the church, and not one returning to again uncloset their door.

The day following, and immediately after the ruins had cooled, soldiers and police were set to work to remove the blackened, calcined remains of the victims from the ruins, where they were found in piles and masses. The soldiers stated that at one part a vast number were burnt standing packed close together, so that when they withdrew one corpse the others fell; all these were charcoal down to the waists, and none could be recognized, except that some retained on the lower parts of their bodies a few shreds of clothing. Indeed, scarcely any of the unhappy victims were identified, and patrician and plebeian were similarly removed in the carts of the police to the cemetery, and interred in one common grave; 1500 blackened skulls were counted and acknowledged as received by the authorities of the burial-ground for interment, and when, a day or two after the catastrophe, a visit was made to this place, fifty or sixty men were found busy digging a huge trench to receive a ghastly pile of human remains which lay hard by covered over with boughs of trees, and which was 180ft. in length, 10ft. wide, and 5ft. high. No catastrophe of a similar nature ever equalled this of Santiago in its horrible results. Many a field of battle has been less fatal, and what, after all, is the carnage of a hard-fought field to this holocaust of fair women and innocent children offered up at the shrine of ignorance, idolatry, and superstition?

The popular feeling of indignation at the conduct of the priests, who were regarded as the authors of this frightful calamity, was intensely strong. Public opinion loudly demanded the demolition of the building which had been the scene of such horrors. It is an historical fact that in the seventeenth century His Majesty King Charles III. of Spain, by a Royal decree from Madrid, ordered the demolition of La Compania. This was never carried out, but the order for its destruction nevertheless remained a Royal decree, and it is the fulfilment of this mandate that the people now urged. The excitement was somewhat quieted by the publication of a decree, signed by the President, authorizing the execution of the

Royal mandate of Madrid. As for Ugarte and the Papal Nuncio, nobody ever heard of them since their escape from the church by an outlet in the "sacristy." They managed to save in their flight the whole of the massive gold church service from the altar when it was in flames. Pieces of furniture and various articles were also saved from the "sacristy" by Ugarte's satellites. This extraordinary conduct on the part of such individuals, who from their position should have been the first and foremost in the noble work of saving lives, brought down upon their heads the execrations of all honest men.

## FEBRUARY.

9. LAUNCH OF THE "ENTERPRISE."—The armour-plated sloop "Enterprise," built according to the plans of the Navy Constructor, Mr. Reed, was launched from the Royal Dockyard, Deptford. The young Prince Arthur, accompanied by Major Elphinstone, witnessed the interesting sight. The "Enterprise," a wooden vessel up to her water-line, is the smallest vessel plated with  $4\frac{1}{2}$ -inch armour that has yet been set afloat.

— BREACH OF PROMISE OF MARRIAGE.—In the Court of Queen's Bench was tried *Shuttleworth v. Kirkman*—an action for breach of promise of marriage. Pleas: denial of promise; that he was willing to perform the promise, and that plaintiff was not willing. The plaintiff (aged thirty) was daughter of a gentleman living in Gower-street. She had a small independence. The defendant, Dr. Kirkman, medical superintendent of the Suffolk Lunatic Asylum, held appointments worth 1000*l.* a year. He was a man of taste, and of a religious turn of mind. He was seventy years of age, but was youthful in mind and body. His former wife died in 1862. In that year he became attached to the plaintiff, and wrote to her, saying that he had a happy home, but it would be much more so if she was with him. The correspondence continued, and his letters were signed "Yours most affectionately." He also repeatedly said, "I love you," and he said he would write her name in the Bible, and enclose a prayer in it. In one letter he said, "I can only trust to the wind to carry a kiss from me to you, and I hope that a corresponding breeze will bear one back to me." He was received by her family as an accepted lover. In arranging as to a settlement, he said all he could do was to settle upon her a life policy for 500*l.*, as his income arose only from his profession. He said he was a sad hand at money matters. The lady's father thought that although the doctor might be a nice old gentleman, the 500*l.* was rather a small sum. The match appeared to be then broken off, but on the 2nd of July, 1863, he resumed his devotions, and wrote

saying, "Pity the sorrows of a poor old man, who is only happy when he sings; 'Oh! that I were where I wish to be.'" He then offered to insure his life for an additional 500%, but he afterwards refused to sign the settlement unless it was altered so as to give the lady only a life interest in the 1000%, and he refused to sign it on other terms, saying that he would act only by the advice of his solicitors. The letters of the defendant were read, and they afforded much amusement to the auditory. No witnesses were called for the defence. Counsel on both sides having addressed the jury, the Lord Chief Justice summed up, and the jury found for the plaintiff. Damages—400%.

10. SERIOUS RAILWAY ACCIDENT.—The long incline of the Malton and Whitby branch of the North-Eastern Railway was the scene of an unparalleled accident between nine and ten o'clock p.m. The last passenger train from Malton, consisting of two third-class carriages, one second-class and one first-class carriage, with the van, travelled safely as far as the bank top in Gothland. Here the engine was detached, and the train, as is usual, was hooked on to a brake van, to which a rope of wire is attached, and was pushed over the bank on to the incline in the usual way. The trains are lowered by a stationary engine at the top, and on this occasion all was considered to be in proper working order. When probably about 150 yards on the descent the rope suddenly broke, and the train was left to its career down nearly a mile of incline of which the gradient is 1 in 14. The velocity likely to be attained under such circumstances may be more readily imagined than described, especially when the rails were frozen and slippery, which rendered the two breaks of the vans comparatively useless. At the foot of the incline the line curves rapidly to the right, crossing the Elderbeck in the Beck Hole. Round this curve and over the bridge the train shot with terrific speed, and a few yards further left the rails and rolled over into the ditch. The first-class carriage was quite upset, and from one compartment two commercial travellers were taken out dead. Strangely enough they bore no marks of injury beyond a slight blackness on one eye of one of the deceased. In the next compartment of the first-class another commercial gentleman, a Mr. Nichols, from the North, was got out seriously injured about the head. The confusion in the dark was extreme, but eventually all the other passengers were extricated, when it was found that although fourteen were more or less injured, their injuries were slight. The engine which was waiting for the train at the foot, had steam up, and was at once sent to Whitby for new carriages and assistance. The whole of the passengers, and the bodies of the gentlemen killed were taken there. An inquest was held at Whitby on the deceased passengers, and after an inquiry which lasted five days a verdict was returned of "Accidentally killed by the breaking of the wire rope, which was insufficient for the purposes of the incline, with a censure on the Company."



11. FIRE AT HILLFIELD HALL, WARWICK.—One of those ancient manorial buildings which are the pride of the county of Warwick was destroyed by fire. Hillfield Hall was well known to the antiquaries of Warwickshire as a fine specimen of the good old homesteads of Old England. It was a building of the most pure Elizabethan style of architecture, and is said to have been built in the year 1576. There is a tradition, and by many believed to be true, that Elizabeth, when on her journey to pay her memorable visit to Kenilworth Castle, passed a night in a room in the house. The room in which Elizabeth did, or was supposed to have slept, could at any time have been shown to the curious or the antiquarian lover of such traditions. The glories of the old Hall have, however, now departed, and nothing remains but the remembrance of what the place has been. About four years ago the Hall was completely restored, at an expense of about 3000*l.*, and was held on a seven years' lease by the present tenant. About four o'clock this morning it was discovered to be on fire by the gardener, who lived at the lodge. The inmates, who consisted of Mrs. Beard and her two sons, the governess, and four servant maids, were quickly aroused, and they all succeeded in making their escape, dressed only in their night-clothes. The Birmingham district fire-engine was fetched from Solihull, but when it arrived it was found to be useless. Although there was plenty of water the engine would not work, and the fire, which probably might have been kept under, soon began to make headway, and extended from the drawing-room to the other rooms in the vicinity. Messengers were despatched to telegraph for the fire-engines from Birmingham, but here another delay occurred: the telegraphic machine at the Solihull station was found to be out of working order, so a man was despatched to Birmingham for the engines. In the mean time the people assembled set heartily to work in rescuing as far as possible the valuable furniture of the Hall, and succeeded in saving a considerable portion of the valuable property. The flames had now extended all over the rear of the house, and could be seen for many miles. About seven o'clock the fire-engine of the Royal Insurance Company arrived, and, finding there was no chance of saving the rear of the building, began to play upon the front, and luckily prevented the fire from extending any further in that direction. Soon after, the engines of the Birmingham, Norwich, and district offices arrived, and began to play on the burning portion, and after many hours succeeded in reducing the fire, but not until the greater part of the Hall was completely gutted, nothing but the bare walls being left standing. At mid-day the fire was not completely subdued, and several of the beams that supported the walls were still burning. With the exception of the castellated part, the Hall became a complete wreck. The origin of the fire was not accounted for.

12. EXTRAORDINARY LUNACY CASE.—A seven days' jury trial

was concluded at Edinburgh, in which Mr. Angus Macintosh, of Holme, a proprietor in Inverness-shire, in possession of estates yielding him several thousands a year, sought 5000*l.* damages from Dr. John Smith and Dr. Lowe, proprietors of Saughton Hall Asylum, a private institution for the insane, on the ground of wrongous and illegal detention there. The detention took place so far back as from the 13th of June to the 20th of July, 1852, when, through connivance of one of the keepers, Mr. Macintosh succeeded in escaping. An action was brought against the defenders in 1858, but was abandoned, and a similar suit was at the same time instituted against Drs. Glover and Weir, who signed the medical certificate, and Mr. Hugh Fraser, writer to the Signet, who applied to the Sheriff for a warrant for the pursuer's confinement. On the 29th of July, 1859, after a five days' trial, the jury returned an unanimous verdict that the pursuer was insane at the time, and was justifiably sent to the asylum and detained there. The present action against his custodiers was instituted only in May, 1863, and now came to trial. The first witness was the pursuer himself, who deponed to his own irregular living and hard drinking in the spring of 1852, leading to excitement and sometimes violent conduct on his part, but not affecting his reason. He adduced the deposition of Emma Wright, now dead, who had lived and travelled with him for some years, who thought him sane, but who ran away from him at Stirling on the 11th of June, alleging that she did not like to go north with the pursuer among strangers, as she had heard that the Scotch were rather "funny and romantic" in their ideas about mistresses. Two of the keepers were examined, who thought him quite sane, though excitable, and one of them had dropped a key to enable him to escape, and had been rewarded by being taken into the pursuer's service. Dr. Handyside, an eminent physician in Edinburgh, who was called to see him immediately after his escape, thought he was then sane, and did not require to be sent back to the asylum, and several neighbouring proprietors and others who had known Mr. Macintosh all his life were called to say that they never suspected insanity. For the defenders it was proved that Mr. Macintosh came to them medically certified "on soul and conscience" to be insane, and with a Sheriff's warrant for his detention; that the previous circumstances of his history and his conduct in the asylum satisfied them that he was for the time insane. His previous history, partly elicited from himself in cross-examination, was somewhat extraordinary. He had come of age in 1847, and had for some years been leading a dissipated life, distressing to his mother and his friends. In April and May, 1852, when in London, he became very violent. He made a disturbance at the Star and Garter, at Richmond, which led to his being taken into custody. At one of the Queen's Drawing-rooms, his violent and excited manner attracted attention, and his name was dropped from the list of presentations. He went next night to Kensington Palace,

to the Duchess of Inverness, supposing, he said, that from her title she had something to do at Court, to ask why his name was omitted, but was told he could not see Her Grace, as she had company. He had had some wine and was certainly "fresh." Without going to bed, but visiting several places to get more drink, he called again at Kensington in the morning, but, owing to his condition, was challenged by the sentry, when he became violent and was taken before the police magistrate. On the next Drawing-room day he was dressed to go, but received a note from Sir Richard Mayne, telling him he would not be admitted, as on the last occasion he had committed a breach of etiquette. He applied for redress to the Lord Chamberlain, but in vain. On the 11th of June he arrived with Emma Wright in Glasgow, and next day went to the Golden Lion, Stirling, where he was believed by the innkeeper to be mad. He ordered a carriage to drive to Bridge of Allan, but on the way got out to sit on the roof, and by his eccentric conduct so annoyed his mistress that she got out and returned to Stirling, and when he followed her there he found she had gone off, having, besides a good deal of money, two cheques for 300*l.*, which he had given her. He set out for Edinburgh to stop the cheques and catch the lady, and driving to Falkirk caught the train, coming out at one of the stations, to the alarm of the guard, and sitting on the roof of his own carriage, which had been trucked. He called late the same night on Mr. Fraser, and again at four a.m., but that gentleman would not see him at such hours. About seven o'clock he went to the Commercial Bank, where he asked the porters for 600 sovereigns, and being told to wait till business hours, he got excited, and was handed over to the police. In the police-office his conduct was so outrageous that the officers all thought him insane, and Mr. Grant, the lieutenant of police, sent for Mr. Fraser, the family agent, to whom he represented the necessity of his immediate confinement. Mr. Fraser communicated with the pursuer's mother, who was in Fifeshire, and, with her consent, he took the necessary legal steps for his detention. On Sunday, the 13th of June, the pursuer was taken to Saughton Hall in a cab, but would not come out of it till he heard six ticks from the watch of each of the doctors and keepers present. In the asylum his conduct was marked by gross obscenity and extraordinary violence, but he gradually improved, and Dr. Lowe deponed that, after the pursuer's escape, he gave way to the urgency of his friends and the advice of Dr. Handyside to put him under a male nurse, and did not insist on his return to the asylum. While in confinement the pursuer wrote out a will, leaving 10,000*l.* to his mistress and 500*l.* to each of his keepers, directing his heir male "especially to pass over his mother and sister;" but, should he die in confinement, to bring to justice Dr. Smith and Dr. Lowe, and all who had any hand in shutting him up in this prison uncondemned, and so wilfully murdering him. Since his escape the pursuer had been in enjoyment of his liberty and in the management of his



own property, his sanity being unquestioned. A very eloquent and indignant speech of five hours was made in the pursuer's behalf by the Lord Advocate, who was followed by the Solicitor-General (Mr. Young) for the defenders. Lord Kinloch charged the jury to the effect that the pursuer must prove not merely that he was sane at the time, but that the defenders knew him to be so, or ought to have known. A mere error of judgment, if they acted conscientiously and in good faith, would not expose them to damages for "wrongous and illegal detention." He also pointed out the great differences of opinion among medical men as to what constituted insanity. The jury were absent about three hours, and returned a verdict by nine to three in favour of the defenders, a recent statute in Scotland enabling a divided jury in Scotland to give a verdict by three-fourths of their number after three hours' deliberation. The verdict was received in court with loud cheering and some hissing.

14. SHOCKING CAREER AND DEATH OF THE HON. JANE YELVERTON.—At an early hour this morning, the all but naked dead body of a female was found freezing in the filthy water of a kennel in one of the most miserable back streets in the town of Douglas, Isle of Man. On the body being turned over, the besotted, bloated countenance was found to be that of the locally notorious "Jenny Keefe," whose proper name was the Hon. Jane Yelverton, the widow of the Hon. Augustus Yelverton, who was brother to Lord Avonmore, and uncle to the well-known Major Yelverton. The only covering of the unfortunate woman was a thin gauze frock, which did not reach to the knees, an old pair of short socks, full of holes, and a pair of thin slippers. A few hours before the discovery of the frozen body in the gutter she was heard trolling out, in a voice husky with excessive drink, the words of a popular song, called "True blue for ever." The history of the career of this wretched woman and her late husband is most extraordinary and painful. About twenty-five years ago the Hon. Augustus Yelverton married Jenny Keefe, a woman of low birth, he having previously had two wives, one a Spanish and the other an Irish woman. They lived together in the Isle of Man during the last twenty years, where they were both notorious for their fearful depravity, reckless conduct, and drunken habits. They had been committed to prison at least one hundred times for drunkenness, disorderly conduct, &c. They were in the receipt of an ample allowance from Lord Avonmore, but they were in the habit of spending it in drink as quickly as they got it, and they scarcely ever had on them sufficient rags to cover their nakedness. The pair were, curiously enough, almost romantically attached to each other, so much so that they invariably accompanied each other in their orgies, and if one of them was sent to gaol, it was the practice of the other to smash some shop-windows or make a disturbance in the streets, for the sole purpose of getting committed also. They scarcely ever had a place to lay their heads in, and they lived the

greater portion of their time either in the streets or in prison. This wretched state of existence was changed, though not improved, by the departure of the husband for Liverpool a short time back, for some purpose or object probably of a private or family nature. About two months ago he was found dead in a low lodging-house in that town, want of food and excessive drinking having had much to do with the termination of his career. The Hon. Jane Yelverton was called to Liverpool in consequence, and waited upon a legal gentleman in order that arrangements might be made respecting a considerable sum of money said to fall to her by the death of her husband. A few days before her death she returned to Douglas; and, in conversing with a woman in a low public-house on the day before her death, stated that her fare from Liverpool back to the island had been paid by the lawyer she had seen at the former place. Little appears to be known of her subsequently until the discovery of her body in the street as above described. An inquest was held the same day by the High Bailiff of Castletown, the woman being well known to all present, and the jury returned a verdict of "Death from exposure." This unfortunate couple had no offspring, but by his former wives the Hon. Augustus Yelverton had several children, who were long since removed from his care in consequence of his depraved habits.

18. SINGULAR LAW CASE IN IRELAND.—The action of "*Wyse v. Lewis*," having occupied the Court of Common Pleas three days, ended in a verdict for the plaintiff. Madame Bonaparte Wyse is the widow of the late Sir Thomas Wyse, and cousin german of the present Emperor of the French. By her marriage, which was solemnized in 1824, a jointure of 1500*l.* a year was settled on her, a charge upon the estates of Sir Thomas Wyse, in the county of Waterford. But the articles of the marriage settlement, it is alleged, were set aside by his will, in which he left his estates to his brother, a barrister and a police magistrate in Dublin. Madame Wyse disputes the will, and the case is still in Chancery. Coming over to Ireland about this business, she was introduced to Mr. William Lewis, of the firm of Lewis and Home, solicitors. While in Dublin she purchased goods at the establishment of Mr. Russell, Dawson-street, to the amount of 20*l.* 7*s.* 8*d.* She alleged that she left money in the hands of her solicitor to pay this amount, and that he promised to pay it, but neglected to do so. Proceedings were taken on behalf of Mr. Russell by Mr. Keatinge Clay. In the absence of Madame Wyse the summons and plaint were served on her solicitor. She alleged that she got no notice of this. An action was taken, judgment was allowed to go by default, and she became liable for 32*l.* 2*s.* 6*d.*, for which, on her arrival in Dublin, she was arrested, and kept in custody about an hour till the money was paid. The defence was, that Mr. Lewis, her attorney, had no money of hers properly applicable to the payment of the debt, that she had got notice of the action, and had been

warned not to come to Dublin. The case was tried before Chief Justice Monahan, by a special jury, who brought in a verdict for the plaintiff—400%. damages on the special counts, and 150% on the money count—550%. altogether, with costs.

19. THE SEAT OF THE MOSTYN FAMILY DESTROYED BY FIRE.—A fire occurred at Pengwern (one of the most delightful residences in Wales), by which the family mansion of the late Lord Mostyn, and the recent residence of the Hon. T. P. Lloyd and the Misses Lloyd, was totally destroyed by fire. The fire was discovered in the early part of the evening, and from that time until a late hour at night every attempt was made by the neighbours (as well as by many of the inhabitants of Rhyl, St. Asaph, and Rhuddlan) to suppress the flames, but all to no avail. Fortunately, through the timely arrival of engines from Bodryddan and Bodelwyddan, and the good supply of water, most of the furniture was saved. It is impossible to calculate the loss sustained by the noble proprietor; but when it is known that, in addition to costly ornaments and family paintings (including some of the choicest productions of the Dutch, Italian, and English schools), most, if not all of the rare and valuable library of Welsh records and manuscripts known as the "Mostyn Collection," were seriously damaged, some estimate may be formed of the consequences of the fire. The literati of Wales have drawn deeply from the fount of antiquated lore in relation to the customs and institutions of the ancient Cymry contained in these documents, and will hear with sorrow of their loss. It was a sad sight at midnight to look upon the black ruins of what but a few hours before was a stately hall, and which for many years had been noted as the abode of one of the most hospitable families in Wales.

22. CALAMITOUS SHIPWRECK.—News was received that the "Victoria," from Liverpool to Calcutta, had foundered at sea. The crew took to two boats, one of which, with seventeen hands, reached the west coast of Shetland, after having been tossed about at sea four days without food. Two had died, and three had become insane. The other boat, manned by the captain and thirteen of the crew, arrived two days later with only two survivors.

— EXECUTION OF PIRATES.—This morning five of the seven pirates convicted of the murder of the captain of the ship "Flowery Land," on the high seas, within the jurisdiction of the Admiralty of England, on the 10th of September last, were hanged in front of the prison of Newgate, in the presence of an immense concourse of people. The five were—John Leone, or Lyons, 22 years of age; Francisco Blanco, 23; Ambrosio or Mauricio Duranno, 25; Marcus Vartos, otherwise Watto, 23; and Miguel Lopez, otherwise Joseph Chancis, and sometimes called "the Catalan," 22. Basilio de los Santos and Marsolino, who had been convicted with them, were reprieved. It appeared, upon a full consideration



of the case, that although there was no doubt of the guilt of these two men, there were nevertheless circumstances which justified a distinction being made between them and their companions; and their sentence was therefore commuted to penal servitude for life. Sir George Grey came to this decision after conferring with the Lord Chancellor and the learned judge before whom the convicts were tried. All of them were natives of Manilla, except Watto, who was a Levantine.

23. RIOTOUS ASSEMBLY AT DUBLIN.—A very discreditable scene took place in reference to the proposed erection of a national monument in Dublin to the memory of the late Prince Consort. An aggregate meeting had been convened by Mr. A. M. Sullivan, and the leaders of the so-called National party, to testify their “indignation and shame” at the proposal. The meeting was to be held in the Round-room of the Rotunda, the largest place in Dublin. Long before the time the ground near the building was crowded with young men, who appeared to be mechanics. The door was not open till eight o’clock, the hour appointed for commencing the proceedings. It was evident that the place would not hold half the multitude waiting for admittance. It was dangerous to venture into the crowd that pressed violently through the single door and rushed into the building. Every spot of the vast space was quickly filled, and the closely-packed faces could be seen swaying to and fro like a field of wheat waving in the wind. Before the proceedings commenced an attempt was made to scale the platform by persons in the hall. This was resisted by strong men armed with sticks; the forms were knocked down, and all was confusion, in the midst of which the aggression continued till the platform was crowded by rough, fierce-looking men, who seemed bent on mischief. When the O’Donoghue, Mr. Sullivan, and the other leaders entered, there were cheers and groans and an increase of the noise, which never ceased, but was maintained in a volume, like the roaring of waves. It was evident that the meeting consisted of two factions, whose members were mixed together every where through the hall, except the galleries, the occupants of which paid for their places and were quiet. The first to speak was Mr. Gill, who said they were assembled to repudiate the insult offered by the Corporation in preferring the Prince Consort to Henry Grattan. He called upon them to express their feelings like men, and to be like brothers banded for fatherland under their gifted leader the O’Donoghue. He begged them to maintain a calm and dignified demeanour, worthy of a people who were struggling for freedom. Finally, he moved that a Mr. Crotty should take the chair.

The O’Donoghue came forward to move the first resolution. He never saw, he said, such a glorious, magnificent meeting in that room. The moment he read the proceedings in the City-hall about the statue he wrote to his esteemed friend Mr. Sullivan that he would attend this meeting. Here the speaker was cut

short by a burst of cheers for Sullivan, with a counter-torrent of groans. A person on the platform, alluding to an informer named Sullivan Goulah, and to some former controversy between Mr. A. M. Sullivan and the Fenian men, cried out "Goulah!" This was evidently a preconcerted signal. He was one of the Fenian Brotherhood. There was an attempt to put him down; he resisted, and a regular fight commenced on the platform, and simultaneously in several parts of the house the battle raged. With the exception of a few who stood on a form at the wall, looking on, the whole mass on the platform were engaged in a terrific struggle, flourishing shillelahs, boxing, throttling, tumbling over the chairs and forms, sprawling on the boards, kicking, yelling. The Fenian men being well drilled and commanded, pressed on in such overwhelming force that they carried the platform in about ten minutes. The O'Donoghue, Mr. Sullivan, and some priests fled; the chairs and tables were broken up and converted into weapons; the reporters were knocked about and quickly lost in the agitated mass. The victory was won, and the Sullivanites were utterly vanquished. The victors seized a piece of green cloth that covered the table and waved it as a flag of triumph. This put an end to the fighting throughout the room. The Fenians kept waving their flag, amid all sorts of noise and uproar, for about an hour. A priest attempted in vain to get a hearing. All this time the place was like a vast Turkish bath, the heat was so oppressive; and the people were so pressed together that egress was almost impossible. The speaking altogether did not occupy more than fifteen minutes, but it was two hours before the multitude were got to disperse.

29. CAPTURE OF THE "SAXON" BY A UNITED STATES MAN-OF-WAR.—Among the many cases of seizure or detention of British vessels by Federal cruisers, on suspicion of being engaged in the contraband trade to the ports of the Southern Confederacy, the capture of the "Saxon" excited an unusual degree of feeling, in consequence of the murder of the mate of that ship by one of the American officers. The correspondence relating to this case was published separately and laid before Parliament. From the official letters and depositions of witnesses a full account of a very melancholy incident of the blockade may be collected.

The "Saxon" was a colonial vessel, owned by Messrs. Anderson and Co., of Cape Town. She had been employed in conveying cattle from the West Coast of Africa to Ascension, and on the 30th of October was at Angra Pequena taking in a cargo of wool. On that day the Federal war steamer "Vanderbilt" arrived at Pequena, and immediately sent a boat's crew on board the "Saxon" and took possession of her, alleging that the wool she was shipping had been previously part of the freight of the "Tuscaloosa," one of the prizes made by the Southern cruiser, the "Alabama." The crew of the "Saxon" were forwarded to Cape Town, and the vessel itself sent to New York. It appeared from

the deposition of the master of the "Saxon," Captain Sheppard, that he had finished loading his cargo of skins and wool on the 30th of October, and was getting ready to put to sea when the "Vanderbilt" rounded Angra Point, and having anchored off Penguin Island sent an armed boat's crew and two officers on board the "Saxon." The master, after a few questions had been asked him, was ordered to produce his papers, which with some reluctance he gave up. The officer said he must take the papers to Captain Baldwin, the commander of the "Vanderbilt," and would leave orders for a signal to be made to the steamer in case the "Saxon" should attempt to put to sea. Captain Sheppard told him that "papers or no papers," he would sail and carry with him any one left on board. The officer replied, "he had better try it, the steamer could go faster than he could." No attempt of the kind was made, and at the moment the "Vanderbilt's" boat pushed off a second boat from the steamer was approaching the "Saxon," with another officer and crew. They boarded the vessel, stationed armed men all round her, and drove the "Saxon's" crew below. Some altercation took place between Captain Sheppard and the officer in charge, terminating in a threat to shoot the master of the "Saxon" if he did not go down quietly. He was finally taken below, and a sentry placed over him. In about ten minutes afterwards he heard the report of a pistol, and rushing on deck again, saw the mate, James Gray, lying dead. He raised the body in his arms, and asked the officer in charge why he had shot the man? He replied, "Poor fellow, I am sorry for him, but I must obey orders." Other witnesses state that the officer said, "He must," not "I must." After the fatal occurrence the "Saxon" was anchored abreast of Penguin Island, and Captain Baldwin, of the "Vanderbilt," informed the master that his papers were not satisfactory; he was sure that his cargo had been landed by the Confederates, and was American property. He therefore made a prize of the "Saxon," put a crew on board her, and sent her to New York. Horace Carrew, a sailor, who saw the shot fired, stated, that when the mate, Gray, heard that the master had been ordered below, he went aft to speak to him. As Gray was going up a short ladder of three steps, leading from the deck to the poop, the officer (Doneghan) was standing on the poop, above him, and ordered him to "go down." Gray looked up, as if not understanding what was meant, and the order was repeated, "Go down, or I'll shoot you." But, the witness states, "he didn't give the mate time to go down or do any thing; he spoke so quick it was all done in a moment; there was no attempt to resist or go on; there wasn't time. He put his left hand on Gray and pushed him. Mr. Gray fell back, wheeling round to save himself as he fell; and, turning his face towards Doneghan, who lifted his revolver and shot him, the poor man fell back dead, and never moved an eye. The bullet had entered above, and a little behind, the left ear,



and went downward; he lay right on his back." The rest of the deposition did not bear directly on the death of Gray, but Earl Russell, in transmitting it to Lord Lyons, observed that Carrew's statement, "in the opinion of the law officers of the Crown, had on the face of it evident signs of truthfulness, and threw more light on this unhappy transaction than any of the statements previously in the possession of Her Majesty's Government." Lord Lyons was instructed to express to the Government of the United States the opinion of Her Majesty's Government, "that, if the facts deposed to are true, the officer who killed the mate of the 'Saxon' has been guilty of wilful murder, and should be brought to trial without delay." Lord Lyons was further instructed to apply to the Federal Government for a pecuniary compensation to the widow of Mr. Gray, and to express the confidence of Her Majesty's Government that full compensation would also be made for the loss the owners had sustained by the seizure of the vessel.

## MARCH.

1. LAUNCH OF THE "KNIGHT COMMANDER," IRON STEAMSHIP, AT DUBLIN.—The launch of the first large iron vessel ever built in the port of Dublin is a noteworthy event in the progress of Irish industry and commerce. The Lord-Lieutenant of Ireland, with a large company of distinguished persons, visited on this occasion the building-yard of Messrs. Walpole, Webb, and Bewley, North Wall. The Marchioness of Kildare performed the office of "christening" the young ship by breaking a bottle of wine upon the bows. Next moment the "dog-shores," or props by which the vessel was upheld, were knocked away, and she gracefully descended into the river, saluted by the guns of H.M.S. "Ajax" and by the cheers of 20,000 spectators. The "Knight Commander" belongs to Messrs. Carlyle and Geddes, of Liverpool, and is intended for the Calcutta trade.

10. CHRISTENING OF THE SON OF THE PRINCE AND PRINCESS OF WALES.—On this day, which was the first anniversary of the marriage of the Prince of Wales with the Princess Alexandra of Denmark, their infant son was admitted by baptism into the Christian Church. The ceremony, at which Her Majesty was present, was performed in the private chapel of Buckingham Palace, and, except in the quality of the company, bore but little resemblance to the Royal baptisms of former days.

The King of the Belgians was the first to arrive at Buckingham Palace, but Her Majesty arrived shortly after. Lord Palmerston, the Duke of Cambridge, Sir George Grey, Earl De Grey and Ripon, and many of the chief officers of State assembled in the lower dining-room of the Palace; there were also present

nearly all the foreign ministers, and the gentlemen connected with the Court. At half-past twelve they were conducted to the seats within the chapel. At the altar were the Archbishop of Canterbury; the Bishop of London, Dean of Her Majesty's Chapels Royal; the Bishop of Oxford, Lord High Almoner; the Bishop of Chester, Clerk of the Closet; the Rev. H. Howarth, B.D., Rector of St. George's, Hanover-square; the Hon. and Very Rev. Dr. Gerard Wellesley, Dean of Windsor, and resident Chaplain to Her Majesty; and the Very Rev. Dr. Arthur Penrhyn Stanley, Chaplain to His Royal Highness the Prince of Wales. The King of the Belgians and the Princess Helena (representing Her Royal Highness the Crown Princess of Prussia) acted as sponsors. The other sponsors were the Duchess of Cambridge, representing the Dowager Duchess of Schleswig-Holstein-Sonderburg-Glücksburg; Prince John of Schleswig-Holstein-Sonderburg-Glücksburg, representing the King of Denmark; the Grand Duchess of Mecklenburg-Strelitz, representing the Duchess of Saxe-Coburg and Gotha; Prince Alfred; and the Duke of Cambridge, representing the Landgrave of Hesse.

Within the chapel two rows of chairs, one on each side of the centre, were appropriated to the use of the Queen, the sponsors, and the Royal personages invited to be present. The principal compartments, or pews, of which there are four (two on either side of the chapel), were assigned to the representatives of foreign Powers connected with the Royal family, to the Cabinet Ministers, and to the other official dignitaries who were present without taking an active part in the ceremony. The altar was lined with crimson velvet, panelled with gold lace; the church plate was displayed, and seats of crimson and gold were ranged within the rails for the officiating clergy. The font was placed in advance of the *haut pas* immediately at the head of the two rows of chairs above mentioned. The font itself is a tazza of silver gilt, the rim representing the leaves and flowers of the water-lily, whilst the base is grouped with cherubs playing the lyre: in front are the Royal arms. The font was placed on a fluted plinth of white and gold. Over the altar was a fine piece of tapestry, representing the baptism of our Saviour.

When the visitors were seated, the Queen (who was dressed in black silk and crape), attended by the Duchess of Wellington, the Lady Churchill, the Hon. Mrs. Robert Bruce, and by the Lord de Tabley and Lieut.-Gen. Sir Henry Bentinck, K.C.B., took her place as one of the sponsors, the King of the Belgians and the other Royal personages accompanying her. The service commenced with a chorale, which was followed by the anthem by Palestrina, "I will give thanks to Thee, O Lord."

When the music ceased, the Lord Chamberlain, accompanied by the Groom of the Stole to the Prince of Wales and the Chamberlain to the Princess of Wales, conducted the infant Prince into the chapel, His Royal Highness being carried by the head nurse

(Mrs. Clark), and attended by the Countess of Macclesfield, one of the ladies of the bed-chamber to the Princess of Wales. The Royal infant was attired in a robe of Honiton lace, the same that was worn by his Royal father at his christening, with a cap of Honiton lace, a cloak of crimson velvet lined with ermine, and a mantle of white satin edged with Honiton lace. When the Archbishop commenced the prayer, "Almighty, ever-living God," the Countess of Macclesfield gave the infant Prince to the Queen, who handed him to the Archbishop. On reaching the portion of the service for the naming of the child, the Archbishop demanded of the sponsors how it should be named. The Queen answered, "Albert Victor Christian Edward," and His Grace accordingly baptized it in those names. The ceremony concluded with the performance of Haydn's grand chorus from the "Creation," "The heavens are telling the glory of God."

After the service the visitors proceeded to the Green Drawing-room and Picture Gallery, and shortly afterwards partook of a collation with the Royal family in the supper-room, which had been beautifully prepared for the occasion. The Prince and Princess of Wales subsequently gave a banquet at Marlborough House; and after the banquet their Royal Highnesses received an evening party. Several of the Royal tradespeople illuminated their houses.

11. DISASTROUS INUNDATION AT SHEFFIELD.—A little before midnight on this day, the Bradfield reservoir of the Sheffield water-works, eight miles from Sheffield, burst, and one of the most deplorable losses of life that have ever occurred in the manufacturing district was the result. The prevalence of rainy weather for some time previous had caused a general flooding in the water-courses throughout the midland and the northern counties, and early on this night the reservoir gave indications of inability to retain the immense pressure of the water, the volume of which had been greatly increased by the late heavy rains, and the people near the village of Damflask were called up about nine o'clock by workmen from the dam, who announced its approaching break down. Before ten o'clock a number of houseless people were applying for admission to the houses at the top of the hill. But lower down the workmen unfortunately gave no warning. The area of the Bradfield reservoir was ninety-five acres, and when it burst, the previously swollen state of the waters of the Don, and its consequent inability to carry off this sudden addition to its waters, gave full scope to the rushing flood. All along the river, from Bradfield to Sheffield, the waters swept every thing before them—human beings, domestic animals, houses, furniture, trees, &c., &c. At a quarter past twelve o'clock on Saturday morning, the 12th, the inhabitants of Sheffield were aroused by the roar of the mighty flood, and on the banks of the Don evidences of a dreadful calamity were visible. Shooting along the discoloured waters were the wrecks of whole villages, whilst piled up against the piers of Lady's-bridge, as high



as the stonework of the parapet, were rafters, floorings, timber, and an immense collection of miscellaneous articles, which had come down in such quantities as to block up the archways. As the early morning approached, numbers of drenched people thronged the streets of Sheffield, or gathered round the fire in the police-stations. By this time the flood had sensibly diminished, and as yet there was no general belief in the town that life had been lost. In the neighbourhood of Blonk-street, where the water had been very high, the first evidence of loss of life was afforded. The body of a man was found clinging to a lamp-post. The water had rushed down that street like a torrent, and, to save himself, he seized the lamp-post, and he died rather from cold than from actual drowning. In the same street there were dead domestic animals, and whole beds of *débris*. In Bridge-street, where the waters had risen to the top of the shop-windows, dead animals were seen and a quantity of broken furniture, and a deep coating of mud. Corporation and other streets were impassable, owing to water and wreck, and other parts of the town presented similar scenes. The Iron-bridge and Hillfoot-bridge had both given way, and Lady's-bridge trembled under the assaults of timber, which rushed down with the force of battering-rams. The localities bordering on the rivers Loxley, Don, and Rivelin, and along the low ground of Langett-road, exhibited scenes of wide-spread devastation. The Nursery, Millsands, Spring-street, and several other streets, were also inundated, and all kinds of furniture were swept away from the flooded houses. During the height of the inundation numbers of persons were drowned in their beds. Three children perished in one house, and part of Norfolk-bridge, Weir Head, was carried away. Whole villages were swept down the valley of the Don. The flood levelled a path for itself from Bradfield to Sheffield, and where thriving villages had stood remained nothing but an expanse of mud, with here and there a dead horse and a few mill-wheels, the only remnants of mills; where long streets stood the previous day at Malin-bridge not a brick was left to mark the site. The great farm-house of Mr. Trickett had disappeared with its eleven occupants and all its stacks. The public-houses, the two factories, the corn-mill, the trees, walls, had vanished, and the once considerable village become a smooth expanse of mud. The track of the torrent was one of total devastation. The double village of Malin-bridge was blotted out, and the course of the river was changed. Above Malin-bridge there was less loss of life, but not a less clearance of property. As the day dawned, the Wicker, as seen from the viaduct, created astonishment. At the height of the inundations the Wicker must have been one immense river, capable of floating a ship of the "Warrior" class, the causeways and carriageway resembling the furrowed sands of the sea after a heavy storm. Gas-lamps lay on the pavement, and there were various *débris*, while one arch of the viaduct was nearly closed by a large ash-tree, torn up roots and all, and carried thither from

miles distant by the flood. The water also flooded the Midland Railway stations, where four female corpses had floated in. All goods stored in cellars were destroyed. A large number of dead bodies was taken out of the water at Rotherham, whilst other bodies were carried beyond Rotherham by the torrent, near where Highfoot-bridge—now swept away—had stood. There was a small garden house where lay in three beds six corpses—a father, mother, and four children—who appeared to have died without a struggle. Further on was another garden house, occupied by a man named Petty, in the employ of Messrs. Steele and Garland. The side wall was washed down, exposing to view the pallid faces of a man and woman in one bed, and in another bed the bodies of three children. All appeared to have died without a struggle. Near that was Neepsand Tan-yard. The buildings suffered severely. Nearer to the weir stood a large house, from which nine inmates were rescued not two minutes before the flood swept it away. In Pennistone-road and the gardens on the other side of the river nothing met the eye but razed buildings, furniture, and mud; and the boundary wall which ran from the bridge to the Philadelphia corn-mill was deposited in the middle of the road. In the stables of that mill were the carcasses of four cart-horses, and inside the mill an immense quantity of flour and grain was utterly destroyed. The converting furnaces of Mr. Halkin also suffered greatly. A long boiler was lifted from its bed and carried into the river, and the furnaces and premises were a heap of ruins. Next to these were the works of Mr. Butcher, whose tilt and forge shops were razed to the ground. From the works of St. Philip's-road the open spaces on the right hand side resembled large lakes. On coming to the stone bridge the demolition at the Rutland Works was seen. The boundary walls were lying on the footpath. The land extending from the Manchester, Sheffield, and Lincolnshire Railway to the river became an immense lake, dotted here and there with islands formed by heaps of rubbish. In the Royal Oak public-house the bodies of three children were laid, having been removed from some houses a little below. The road in Harvest-lane was all torn up, and yawning cavities presented themselves; and mud, gravel, trees, and other *débris* were thrown up at either side to the height of several feet; and now and then the dead body of a pig, and sometimes of a donkey, might be seen floating about. Some miles above Sheffield—nearer to the origin of the accident—whole rows of cottages and whole families were swept away. Under one hedge lay the dead bodies of a man and a woman, naked, the woman grasping a plank, to which, doubtless, she had clung for life. The first intimation that hundreds had of the calamity was the sudden lifting up of their beds by the waters, which half filled their bed-rooms. The portion of Sheffield which suffered most is that called the low district. It is inhabited by respectable shopkeepers and good families. Houses that stood on little banks near the river were levelled. One house near the river

was flooded; the inmates ran out to save themselves, and were lost. The house remained standing, and some neighbours who afterwards entered found an infant alive and well, sleeping in bed. Bodies of men, women, and children came to the surface of the river, and on nearing some of the bridges that remained standing some were dragged out with hooked ropes; but others floated away, and were lost to sight. Upwards of fifty bodies so recovered were registered at the police-office before eleven o'clock. Although some of the dead appeared as if asleep, several men seemed to have struggled for their lives; one lay with his arms raised and his hands clenched; another wore a troubled look of surprise as though one terrible thought had flitted across his mind. Persons who were in the streets when the flood broke out say that in the stillness of the night there was suddenly a long, loud, and terrible roar, which increased in its intensity; and as they stood listening and wonder-stricken, there came sounding above the roar a sudden hissing noise, as of waters dashing on a rock, and this was quickly followed by piercing shrieks, first distant, then increasing, until up the streets, in every direction away from the flow of the river, there ran hundreds of persons in their night-dresses, some dragging little children by the hand, others half dressed tripping and falling; and from many the same terrible exclamation came and nothing more, "Oh, God! the flood, the flood!" Many of the poor naked and destitute creatures were taken into the police-office, where, round a great fire, they lay, or stood talking of their losses, or mourning for their dead, until morning broke, when they sallied forth in the hope of saving some of the missing.

It was computed according to the best estimate that could be formed that at least 270 persons had perished, and the value of the property destroyed was supposed to be not less than 1,000,000*l*.

Great exertions were at once made by the local authorities and the people of Sheffield to provide relief for the distressed survivors of this calamity. Two hundred beds in the Sheffield workhouse were set apart for the reception of those whom it left houseless, and a fund was immediately set on foot for the benefit of the sufferers in general.

At the preliminary meeting for this purpose, convened by the Mayor, the subscriptions announced were, in the aggregate, as much as 5000*l*. At the adjourned meeting, which was attended by Earl Fitzwilliam and Lord Wharnccliffe, as well as by the principal merchants and manufacturers of Sheffield, it appeared that the amount subscribed was no less than 12,000*l*., including one donation of 1000*l*. from Earl Fitzwilliam, and several of 500*l*. each from different persons in the neighbourhood. Mr. George Hadfield, M.P. for the borough, by a telegram to the meeting, promised to send 500*l*. next day from London.

The Lord Mayor of London undertook to receive contributions for this object.



Mr. Roebuck, the other member for Sheffield, shortly afterwards forwarded the following letter to the Mayor :—

“ Windsor Castle, March 16.

“ Sir,—I have had the honour to submit to Her Majesty the Queen your letter received last night. Her Majesty had already directed me to make inquiry whether any subscription had been commenced for the relief of the sufferers by the fearful calamity which has occurred near Sheffield. The Queen has commanded me to inform you that it is Her Majesty’s intention to contribute 200*l.* towards the objects advocated in your letter. Her Majesty has commanded me to add the expression of her deep sympathy for the poor persons thus suddenly overwhelmed with grief and exposed to suffering of every description in consequence of this unexpected and dire calamity. As I am not aware of the name of the treasurer, I shall be very much obliged to you if you will take the trouble to forward the enclosed check to the proper quarter.

“ I have the honour to be, Sir,

“ Your obedient humble servant,

“ C. B. PHIPPS.

“ J. A. Roebuck, Esq., M.P.”

The subscription thus inaugurated made rapid progress, and the steps taken at Sheffield to raise funds for the sufferers were followed by Doncaster and other towns in the district.

The Home Secretary lost no time in taking measures for inquiring into the origin of this great calamity. Mr. Rawlinson, a civil engineer of considerable experience, was sent down expressly to investigate the cause of the catastrophe. An inquest was also opened at the Town Hall, Sheffield, on the bodies of Thomas Ellstone and others, by Mr. Webster the Coroner. The investigation was searching and protracted; the proceedings being continued by adjournment from time to time. The information elicited as to the construction of the reservoir, and the circumstances to which its failure was attributable, will be best exhibited in the evidence given on this occasion by Mr. Rawlinson, as well as in that of another civil engineer, Mr. Nathaniel Beardmore, who was appointed by the Government in conjunction with Mr. Rawlinson to conduct the inquiry.

The latter on his examination at the inquest deposed as follows :—

“ I have had considerable experience in the construction of water-works, and have executed such works at Wigan, Berwick-on-Tweed, Swansea, and other places. As inspector, I have made myself acquainted with the great works erected during the last twenty years, and have personally inspected many of them, includ-

ing those at Liverpool, designed and executed by Mr. Hawksley, and those at Manchester, designed and executed by Mr. Bateman. I have inspected carefully the Bradfield reservoir, which has failed, and other reservoirs of the company, and the reservoir at Agden now being constructed. I have also carefully looked over the specifications. As a practical engineer, I think no water-works embankment ought to have pipes laid through it so as to prevent repair or renewal when necessary. The engineer should be master of his work, not let it be master of him. I know of many instances of failure where pipes and culverts have been laid through the main embankment. Cast-iron pipes having plain socket-joints, although previously tested to four times the head of water they may have to carry, are occasionally found fractured and defective when the water is turned on, although in the street trenches in which they are laid they have only 4ft. of earth to bear. With the most careful jointing, the joints are sometimes found to be blown or defective. Pipes laid in the streets can be repaired without much damage. A defective pipe in this embankment may have worked the destruction we have witnessed, and no human ingenuity could prevent it under the circumstances in which those pipes exist. I did not say that it did do so; I wish that to be clearly understood. That, therefore, is not a legitimate way in which to lay pipes for the making of a reservoir. In my own practice, I have formed a tunnel or culvert through the solid stratification on one side of the valley and perfectly free from the loose earth of the embankment. That culvert is executed in the very best possible manner with hydraulic lime, and puddled to make it perfectly water-tight over the top. Within that culvert or tunnel the outlet pipes are ultimately laid. Provision is made for closing the pipes inside the reservoir. The centre portion of the tunnel—namely, that under the heaviest portion of the embankment—is closed by brickwork set in cement, so as to make a perfectly water-tight plug at that point. Valves are placed at the outer end of the pipes in the usual way, to work the pipes. On the inner shaft arrangements are made to draw the water at various heights in the reservoir, or to exclude it from the shaft, so as to enable the pipes to be examined. Such an arrangement renders any accident to the pipes for mischief absolutely impossible. Where I have laid cast-iron pipes through puddle under small heads of water, as pipes leading to a valley syphon, I have found it necessary, in order to prevent the water creeping along the outer surface of the pipe, to put on collar shields. I have done this because I found I could not make puddle adhere to the cast-iron pipe so as to be water-tight, even under only five feet of pressure. Unless those precautions are taken, the water does creep along the surface of the pipe. In land draining, where ordinary drain-pipes are laid in a clay subsoil, the best drainers make no provision for an open substratum. They know that water will find its way to the pipes, and I believe the pipes drain as much by their outer subsoil as by the inner

capacity. I believe there is an outer creep along every pipe. The result of that experience teaches me that a smooth line of cast-iron pipes, with joints, is not to be trusted as certain to be water-tight in such an embankment, although lined the whole length with puddle. I heard the evidence given as to the mode in which the pipes were laid through the embankment. I expected to learn that the crossing of the puddle trench had been provided for, so as to give a bearing to the pipes uniform with that of the solid ground on either side. I was surprised to learn that in place of this an artificial trench had been excavated, at a flat slope from the bottom of the puddle trench, until at the surface line it exceeded 200ft. in length; that this had been filled with puddle to the depth of 20ft., in the puddle trench, thinning itself to 18 inches of puddle on the solid at either end, leaving upwards of 200ft. of pipes, in 9ft. lengths, with no bottom support other than the puddle beneath them. This would be in that portion of the embankment where there would be the greatest possible weight—namely, under the apex. I have had considerable experience on railway work. I have seen 60ft. embankments—and this was 90ft.—carried apparently over solid ground; I have executed bridges and culverts on such ground beneath those embankments. Serious fractures always, total destruction occasionally, resulted. I have known it to settle so much as to move the grass surface 300ft. away on either side. That occurring in a naturally compressible stratum, I should dread placing jointed pipes in an artificially formed compressible substratum. If that line of pipes has been depressed into the puddle, in all human probability it has not gone down equally in the puddle trench and under the loose embankment. But if it can be proved it has gone down equally as a bow would bend, and not drawn a joint, in my opinion it has left a cavity in the puddle trench above it, because the puddle is an artificially and carefully formed material, made so solid that if the puddle is as perfect as I believe, it could not follow the compression of the pipe equally on either side of the puddle wall. We have been told that the bank was formed on the same plan as the Agden reservoir in course of construction; the material not being water-tight on each side. The inference is, that the water as it rose would penetrate the bank, and search out its weakest point. The reason the embankment did not show signs of failure on the first admission of the first 40ft. of water would arise from the fact that the lower half, being upwards of 200ft. wide, may have been sufficiently tight to prevent any access of water to the puddle wall. As the water rose foot by foot in the reservoir it narrowed the intervening space between the water and the puddle wall  $2\frac{1}{2}$ ft.; and from my inspection of that bank, and from its state as it exists now, to be seen by any one, it is obvious that the upper half of the bank is not made of water-tight material, but contains a very large proportion of rubble stone. I measured some not on the surface more than 4ft. long, 2ft. wide, and 9in. thick.



The water would thus penetrate to the puddle wall, gradually creep vertically down the face of the puddle wall, and inevitably find out the weakest point. On the opposite side of the puddle wall there is the same defective arrangement of rubble stone, dangerously close to the puddle wall. That this was so through the deepest part of the bank is evidenced by the description of the ultimate breaking down of the top of the bank. The first top water has been described as coming over in sheets and waves of foam. That water did not flow down the slope of the embankment, but was absorbed vertically into it. We have been told this reservoir embankment was made exactly as the Agden embankment. From the mode of tipping the waggons and the material tipped, I have no hesitation in coming to the conclusion that the substance of that bank is as porous as a sieve. The specification limits the tips to three feet each in thickness; the tips at present in work are at least double that height. This method of working rolls the largest stones continually to the foot of the tips, and makes, in fact, a rubble embankment open and porous in layers. With regard to the mode of obtaining material to make the embankment, I hold it is most objectionable to take the material for making your embankment from within the reservoir and below the watermark, excepting a trial shaft has shown that that material is in its whole substance water-tight. In the Bradfield reservoir several acres of surface have been bared by excavation. Many square yards of fissured rock have been bared. Into that rock I found by examination that surface water readily flows without pressure. With pressure the flow of water into them would be greater. No engineer can tell what is to become of that water. It may waste itself harmlessly below, but there is a possibility of its communicating with fissures beneath the external slope of the embankment. In such a case the engineer has no right to run the risk of letting water into the substrata, because the water will be beyond his control, and it will be impossible for him to tell what will become of it, except by experience. I do not undertake to say that water has done any injury. I have no evidence, neither can any body say it has not done injury. I have examined the by-water, and do not think it adequate to convey away the flood-water. I would have made a very much larger by-wash. In this case the by-wash has not been the cause of any injury, as the water never rose to it. I do not approve of a sloping by-wash such as the whole of the Sheffield water-works possess. I think it is always better to break your by-wash channel by a series of steps. I think for such a capacity of water and such a drainage area the two 18in. pipes totally inadequate to give safety to the bank in the case of anticipated danger. To take away the incoming water of a flood from the reservoir the by-wash and pipes ought always to be equal to safely removing the greatest possible flood on a full reservoir.

“By the Jury.—I would not have put pipes in the embankment.

Wherever put, the pipes should have been longer. It is a fatal objection to the scheme that there have not been valves to shut the water off from the pipes. The pipes and by-wash would not carry away a flood coming when the reservoir was full. There ought to be a goit to carry away the flood-water when the dam was full. I am surprised that the engineers destroyed the one they used while the embankment was being made.

“By the Coroner.—Several causes may have led to the catastrophe,—a fractured pipe, a blown or drawn joint, a creep along the pipes, a pressing down of the pipes in the puddle trench by the heavy material on both sides of it; or a washing away of the outer slope by a landslip, caused by undiscovered fissures and springs in communication with the interior of the reservoir, which fissures and springs, if they existed and had such communication, would become active for mischief as the water rose in the reservoir. Those are the methods which occur to my mind as agents which may have caused the destruction of the bank—one of them, or more of them combined, may have done it. My opinion is, that it was the most fatal mistake to lay the pipes in the centre of the embankment upon an artificially formed compressible material. I think, also, that in the formation of the embankment the stones which are being dipped into the Agden embankment should be kept away from the puddle wall; that three-feet layers are much too thick; and that six-inch layers are the only safe way of making the embankment.

“Nathaniel Beardmore, civil engineer, London, said—I was requested by Sir George Grey to come down and assist Mr. Rawlinson in examining the reservoir, with the object of making a report. I have examined both the Bradfield and Agden reservoirs. I have heard the evidence of Mr. Rawlinson. I agree substantially with the evidence of Mr. Rawlinson. I do not think the Agden embankment is being made in the secure manner necessary for such a work. In dealing with water, security should be taken against the remotest contingency of accidents. It would be very difficult to get every body to agree as to the immediate cause of the bursting of the reservoir. The disruptions being so great, it will be difficult to discover the differences between causes and effects. My impression is that the puddle is a most excellent work. I think that the immense depth excavated must have removed danger from the springs, and the probabilities must point to the pipes being the source, if not the cause, of the accident. The description itself implies an immediate volume of water blowing up the material of the embankment. To my mind, the most material conclusion is, that the pipe leads the water to do that mischief. Telford, the great engineer, never, I believe, put pipes through the embankment of a dam. I agree generally with Mr. Rawlinson as to the dangers arising from putting pipes under embankments.”

After retiring twenty minutes the jury returned into court.

The Coroner said he was glad they had made up their minds, and that he had no occasion to sum up, because he should have spoken in a manner that would perhaps have been disagreeable to some persons.

The verdict was as follows:—"We find that Thomas Ellstone came to his death by drowning in the inundation caused by the bursting of the Bradfield reservoir on the 12th inst.; that, in our opinion, there has not been that engineering skill and that attention to the construction of the works which their magnitude and importance demanded; that, in our opinion, the Legislature ought to take such action as will result in a Governmental inspection of all works of this character, and that such inspection ought to be frequent, regular, and sufficient; and that we cannot separate without expressing our deep regret at the fearful loss of life which has occurred from the disruption of the Bradfield reservoir."

Before the end of the Session of Parliament an Act was passed by which Commissioners were appointed to ascertain the claims for compensation against the Sheffield Water-works Company by persons whose property had been injured or destroyed by the inundation. The attention of the inhabitants of other towns where reservoirs for the supply of water had been lately formed, or were in course of construction, was anxiously turned by this sad event to a consideration of the safety of their works, and the adoption of remedial measures in case of failure, and it may be hoped that this awful disaster, which caused such wide-spread suffering and consternation throughout the locality in which it occurred, will not be without some salutary results in the warning and instruction it has afforded to the community.

19. GREAT BOAT RACE BETWEEN THE UNIVERSITIES OF OXFORD AND CAMBRIDGE.—This contest, which excited an almost national interest, was decided at Putney, in the presence of a vast crowd of spectators, in favour of Oxford. Three successive victories had only placed the Oxford crew upon an equality with their opponents in twenty annual contests; in this, the twenty-first, they regained the lead for which they so energetically struggled. Never in the history of the rivalry of the "light blue" and the "dark" was there better promise of a fair trial of the merits of the respective champions than on this morning. The day was fine and sunny, with just sufficient breeze to cool without disturbing the rowers, the river was perfectly smooth, and the men were supposed to be more evenly matched than for the last two or three years. The betting was in favour of Oxford, but the promising appearance of the Cantabs tended to weaken the confidence of those who had backed the "dark blue" merely from its late successes. Along the river nothing was wanting of the life and excitement characteristic of the great event. Upon the towing-path on the Surrey



side, between Putney and Mortlake, crowds of spectators of both sexes had assembled, and the foot passengers were as usual kept in a state of alarm by the equestrians, who, in their eagerness to see as much as possible of the race, galloped past, regardless of the crowds before them. On the Middlesex side the gardens and marshes were also thickly peopled, and Hammersmith-bridge, from the roadway nearly to the top of the chains, showed one mass of human beings.

The following are the names of the rowers, with their weights:—

CAMBRIDGE.		st. lb.	OXFORD.		st. lb.
1. J. C. Hawkshaw, Trinity	. . .	11 3	1. C. P. Roberts, Trinity	. . .	10 8
2. E. V. Pigott, Corpus	. . .	11 9	2. W. Audrey, Balliol	. . .	11 4
3. H. Watson, Pembroke	. . .	12 4	3. F. H. Kelly, University	. . .	11 8
4. W. Hawkins, St. John's	. . .	12 0	4. J. C. Parson, Trinity	. . .	12 9
5. R. A. Kinglake, Trinity	. . .	12 5	5. W. B. Jacobson, Ch. Ch.	. . .	12 3
6. G. Borthwick, Trinity	. . .	12 1	6. E. B. Seymour, University	. . .	11 1
7. F. Steavenson, Trinity Hall	. . .	12 2	7. W. Brown, Trinity	. . .	11 3
8. J. R. Selwyn, Trinity	. . .	11 0	8. D. Pocklington, Brasenose	. . .	11 1
G. H. Archer, Corpus (cox.)	. . .	6 6	W. Tottenham, Ch. Ch. (cox.)	. . .	7 3

For the first time royalty was present at this match, in the person of H.R.H. the Prince of Wales, who was conspicuous in the bows of the steamboat "George Peabody" (Captain Ayres), accompanied by Colonel Keppel and General Knollys, having been received on board at Pimlico-pier by the Hon. George Denman and a large number of members of the Thames Subscription Club, by whom the boat had been chartered.

The Start.—A slight alteration from the old plan was adopted in regard to this, as the skiffs by which the contending boats were held were moored opposite the Star and Garter, instead of at the aqueduct, thus allowing room for the steamboats to lie well astern. The Cambridge crew were the first to leave their quarters, at 11.22, and appeared to be rowing in better form than usual; they went down to the pier, when the coxswain brought them round and took them to the barge nearest Putney, they having lost the toss. Oxford left the London Boat-house soon afterwards, and went straight to their berth, two barges having been moored opposite the Star and Garter, whence the crews started. Mr. Edward Searle, having, as usual, taken his place in a skiff between the contending crews, gave the word "Off" at 11.31.27. The boats started shortly before high water. Cambridge were liveliest in getting off, and, amid the cheers of their partisans, took a fine lead of nearly half a length immediately, which they maintained to well beyond the London Boat-house. Here the Oxonians, whose start had been hurried and clumsy, now got steady; their fine powerful stroke soon drew them nearly level, and at the Point they had taken the lead by about half their length, Cambridge making strenuous though fruitless efforts to hold their antagonists, and rowing better than they had done

during their practice. At Craven-cottage, Oxford led by half a length clear, and were taking 37 strokes per minute, and Cambridge something over 36; and at the Crab-tree (reached in 4 min. 23 sec.) there was a gap of nearly two lengths between them, Oxford taking their opponents' water, and rowing ahead of them towards the Soap-house Point after the same steady manner which they rarely departed from throughout. Under Hammer-smith-bridge (time 7 min. 47 sec.) they led by four good lengths, being cheered as they passed under by such a multitude as no bridge has probably held before, the chains being completely festooned with human beings. \* Going through Corney Reach the boats maintained about the same speed, but the Oxonians were timed to be doing 39 strokes as they approached Barnes, this being the greatest speed attained throughout the race. In the middle of Chiswick Eyott, Cambridge spurted, but Oxford held their lead undiminished, and reached Chiswick Church in 12 min. 13 sec., leading by five lengths. At the Bathing-place they had, owing to the increased rapidity of their stroke, gone further ahead, and passed under Barnes Railway-bridge, leading by seven or eight lengths. Time: Oxford, 17 min. 23 sec., and 40 sec. ahead of Cambridge. This lead was improved still more to the Ship, where there were 47 sec. between the boats. Oxford here ceased rowing, imagining the race to be over, and at that moment 20 min. 50 sec. had elapsed from the time of starting. Luckily they discovered their mistake in time, and rowed on, finally reaching the flag-boat, which had been placed some two or three hundred yards higher up than usual, in 21 min. 48 sec., and 23 sec. ahead of Cambridge. Both boats immediately turned and rowed down to Putney, and were much cheered, the victors, of course, coming in for the more vociferous applause.

In the evening the crews of the two boats accepted the invitation of the Thames Subscription Club to a dinner at Willis's Rooms, the Hon. George Denman, President of the club, presiding on the occasion. There was a large gathering of the friends of the two crews, and among the visitors present were several Members of Parliament, the captains and crews of the Universities of Oxford and Cambridge who contended, and 120 other gentlemen. R. N. Philips, Esq., F.S.A., acted as vice-chairman.

"The Health of Her Majesty" was drunk with great demonstrations of loyalty.

The Chairman, in proposing "The Health of the Prince of Wales and the rest of the Royal Family," took occasion to state that the present was the first occasion on which the Prince of Wales had been present at the Oxford and Cambridge boat race. When a younger man the Prince was in the habit of keeping a boat on the river, and indulging in that healthy sport which it was the object of this society to promote.

The toast was drunk with great cheering.

The toast of "The Army, Navy, and Volunteers" was re-

sponded to by Lieut. Young, of the Cambridge Volunteers, and late Mayor of Wisbeach.

The Chairman, in proposing the toast of the evening, which was "The Health of the Oxford and Cambridge Crews," highly complimented them upon the pluck and endurance which they had shown in the late and previous contests.

Mr. Carr, in responding on behalf of the Oxford crew, said that the success on this occasion had been due, not to his exertions, but rather to his friend Mr. Morrison, who had taken charge of the training of the crews.

Mr. Hawkshaw, on the part of the Cambridge men, in a humorous speech, acknowledged the compliment paid to his brother oarsmen and himself, and expressed a hope that next year they would regain their former position, and win back those laurels which Oxford had taken from them.

Mr. Goschen, M.P., proposed "The Health of the Chairman," and other toasts followed, after which the company separated.

28. THE EASTER VOLUNTEER REVIEW.—The annual Easter Monday review of metropolitan volunteer corps took place this year on Blackheath, near Guildford, Surrey. There were about 17,000 volunteers on the ground, 4000 of whom belonged to country corps, and the manœuvres, under General Pennefather, were admirably performed. In point of facilities for access by railway Blackheath is as advantageously placed as most localities in the south of England. By the South-Western line Guildford is only thirty miles from London, and the common lies within less than four miles of that town. On the South-Eastern Railway, which almost skirts the Heath, the Chilworth station is but three-quarters of a mile from the spot where the Grand Stand was erected. These two separate lines starting from the metropolis hold the district within their grasp, and, worked in perfect harmony as they were on this occasion, should be capable of throwing almost any number of troops upon the spot. The Portsmouth and Southampton lines brought up the Hampshire Volunteers, the Brighton line accommodated those of Sussex and Kent, while the Reading branch opened up a ready means of access to regiments in Berkshire, Buckinghamshire, Oxfordshire, and the south-western districts generally, had these been disposed to avail themselves in any numbers of the opportunity. The advantages of situation were so obvious that the volunteers of the metropolitan and home counties threw themselves heartily into the scheme, but those of districts further west, who might have benefited equally in its advantages, with few exceptions allowed the opportunity to pass unimproved.

The battalions from Waterloo, and from Surrey, Hants, and Berks, were brigaded on the western part of the common, facing the north, the right resting on the road to Blackheath. These, with a proportion of artillery, constituted the 1st Division. The battalions from London-bridge station and from Kent and Sussex, which



were brigaded in the order of their arrival at the eastern extremity of the common, in columns at quarter distance right in front, also facing the north, and with the rest of the artillery, composed the 2nd Division. Of the four brigades making up the First Division, the 1st was commanded by Lieutenant-Colonel Viscount Ranelagh; the 2nd, by Lord Elcho; the 3rd, by Lieutenant-Colonel Earl Grosvenor; and the 4th, by Lieutenant-Colonel Lord Radstock. The Second Division was in like manner made up of four brigades, commanded as follows:—1st, Lieutenant-Colonel Lord Colville; 2nd, Lieutenant-Colonel Viscount Bigge; 3rd, Lieutenant-Colonel Viscount Bury; and, 4th, Lieutenant-Colonel Macdonald.

The divisional officers were:—Major-General D. Russell, C.B. (commanding), Major R. C. Stewart (Aide-de-Camp), for the 1st Division. The officers of the 2nd Division were:—Major-General R. Rumley, Major R. G. Ellison (Aide-de-Camp), and Colonel A. Alison, C.B. The volunteer staff consisted of Colonel M'Murdo, C.B., Inspector-General of Volunteers; Colonel Erskine, Deputy-Inspector; Colonel C. Morris, C.B., Assistant Inspector; Lieutenant-Colonel R. G. Luard, do.; Lieutenant-Colonel C. B. Ibbetson, do.; Lieutenant-Colonel G. Hume, do.; Lieutenant-Colonel G. B. Harman, do.; and Lieutenant-Colonel Manners, do.

The whole of the forces were under the command of Lieutenant-General Sir J. L. Pennefather, K.C.B., and his staff consisted of Lieutenant-Colonel P. Bayley, Captain A. C. Boyle, V.C., and Lieutenant D. H. Doherty, Aides-de-Camp; Colonel J. W. Armstrong, C.B., Assistant Adjutant-General; Captain W. G. Lockhart, Deputy Assistant Adjutant-General; Lieutenant-Colonel the Hon. H. H. Clifford, V.C., Assistant Quartermaster-General; Captain P. A. A. Twynam, Deputy Assistant Quartermaster-General; Colonel Simmons, C.B., Royal Engineers; Colonel Gambier, C.B., Royal Artillery; Captain W. S. M. Wolfe and Colonel Buchanan, Royal Artillery.

The operations of the day, consisting of a sham fight, were skilfully and adroitly performed, and afforded great amusement to the large multitude of spectators. The marching, considering the difficulties of the advance, was admirable. The file-firing was as good as the average of Line regiments, though the volleys were scarcely up to the same standard. The City of London Rifle Brigade, the London Scottish, the 19th Middlesex, the 2nd, 11th, and 40th Middlesex corps, with the 5th, 19th, 23rd, and 10th Surrey, were remarkable for the rapidity and solidity of their movements. There were very few corps on the ground, in fact, of whom the same could not be said, but those mentioned were especially worthy of notice, and the artillery of all the corps in the field managed their guns from first to last in soldier-like style.

At a little before four o'clock the manœuvres were brought to a close, or rather the firing ceased, for the movements had ceased some time before, and the troops were formed up in columns of companies for marching past. The ground over which they had

to step was little less uneven and quite as thickly overgrown with heather as any other part of the common. Besides which, the spectators crowded in upon the men so closely that their movements were sadly impeded. Under all these adverse circumstances, and after such an exhausting day, this was rather a trying ordeal. Nevertheless, all went through it with credit, and some in such a manner as to call forth deserved applause.

30. THE QUEEN'S RE-APPEARANCE IN PUBLIC.—Her Majesty paid a visit to the Gardens of the Royal Horticultural Society at Kensington, which being her first appearance in public since the occurrence of her great affliction, occasioned considerable interest. The weather was extremely inclement, but the announcement that Her Majesty intended to honour the show with her presence, and that fellows of the society would be permitted to bring their friends, caused the assembly of some hundreds of persons, most of whom took shelter from the biting wind and occasional falls of sleet in the conservatory, while others crowded the council-room and adjoining chamber and approaches, where the flowers were ranged. Her Majesty, who was accompanied by the Princess Helena, looked well, and smiled cheerfully as she spoke to those about her. The dress worn by the Queen was black silk covered with crape, and over it a black cloth mantle. Her Majesty still wore, in her crape bonnet, the widow's cap, diminished, however, to a thin white frill. The Princess also wore black. In attendance on Her Majesty were Lady Gainsborough, Lady Augusta Stanley, General Grey, Colonel Ponsonby, and Lord Charles Fitzroy. Illness had prevented the Duke of Buccleuch, President of the Council of the Horticultural Society, from taking part in the reception of Her Majesty, and the gentlemen most prominent in the performance of that honourable duty were Lord Henry Lennox, Sir Wentworth Dilke, Mr. Cole, and Mr. Wilson Saunders, the secretary.

## APRIL.

3. GARIBALDI IN ENGLAND.—The arrival of the great Italian patriot in this country, which took place on the 3rd of this month, was celebrated with enthusiasm by almost every class of the community, and the fortnight which the General spent in the metropolis, was a time of extraordinary excitement. The desire of all persons to get a sight of a man so renowned and highly gifted was unbounded, and apprehension was felt, lest the warmth of the welcome which he received should prove almost overpowering to the object of it. From first to last the appearance of Garibaldi was hailed, wherever he went, with the liveliest demonstrations of

popular esteem and admiration. Nor was this sentiment confined to any particular class in society, or to any exclusive political party. Persons of the highest rank evinced at least as much desire to do honour to the disinterested and single-minded soldier, as was displayed by the working classes towards their favourite, and any attempt that might have been made to identify the hero with extreme political opinions, must have been defeated, by the cordiality with which men of very different views and feelings combined to pay homage to the patriot. The arrival of Garibaldi, which had been anxiously expected at Southampton on the previous day, did not take place till just after noon on Sunday the 3rd. The news speedily ran through the town, that the Peninsular and Oriental Company's steamship the "*Ripon*" was off Hurst Castle, and would be in Southampton Harbour within three hours from that time, and the Peninsular and Oriental Company's steam-tug "*Aid*" was quickly brought alongside the quay, and was very soon steaming off, with Mr. Seely, M.P., the Duke of Sutherland, General Ebor—Garibaldi's staunch ally—and other gentlemen, on board, to meet the "*Ripon*" as she came on towards the harbour. The "*Ripon*" carried the Italian flag at her main, while the company's fluttered from the foremast. Passengers and crew crowded to her side, and interchanged a hearty greeting. Just at the entrance of the saloon was General Garibaldi's cabin, which was very soon filled, and his calm, measured voice was heard within, acknowledging the kindness of his welcome. He met his old friends with a bright, gay smile, a twinkle of his keen blue eye, a ready grasp of the hand, and a few cheering words. Four Italian gentlemen from London had an interview with the General, who gave one of their party a note, addressed generally to their countrymen in England. This document—a very brief one—explained the feeling and wishes of the great Italian in visiting this nation:—"Dear friends," said Garibaldi, "I desire to have no political demonstration; above all, not to excite any tumults." After a little time Garibaldi quitted his cabin, and moved down to the farther end of the saloon, where he could be seen by all. Surrounded by his fellow-voyagers,—Menotti and Ricotti Garibaldi, his two sons; Dr. Guerzoni, his private secretary, and a member of the Italian parliament; Signor Basso, his companion through many vicissitudes and adventures, throughout fifteen years; and an attached servant and soldier, whom he addressed as Pietro,—the General stood and talked by turns with Italian and English friends. Those who looked on might have read, in the singular mildness of his face and manners, as free from any pretence as from any reserve, the secret of his power. His costume was peculiarly his own, having been adapted by him to certain service, viz. the well-known Garibaldi shirt. Over its picturesque and comfortable warmth he wore a grey cloak, lined with scarlet, and buttoned across the breast, somewhat in the fashion of the old redingote. Slung loosely over his neck and shoulders was a



crimson silk handkerchief, tied in front with a sailor's knot. His trousers were grey, and on his head he wore an embroidered cap, shaped like a Turkish fez, but smaller and more compact. While his future plans were being discussed on board the "Ripon," she was gliding smoothly into harbour. Though no signal-guns had been fired, the day being Sunday, the population of Southampton was spread along its quays, and the population of the river swarmed on shipboard to catch a sight of Garibaldi. When he was seen, cheers rent the air; but from the deck he was not visible to all, and a cry was raised for him to mount the paddle-box. Being still lame from the effect of his wound, he walked with a stick; but this circumstance presented no obstacle to his kindly acquiescence in the demand. The only cause of hesitation was the hero's instinctive sense of discipline and courtesy; for it was remarked that he would not step upon the paddle-box till he had obtained permission from the commander, Captain Rogers. The shouts volleyed forth again and again as Garibaldi stood bowing, or rather extending his hand, with a peculiar action, towards his admirers. There were more friends of his who had not gone on board until now, and who met him on the elevated position he had taken up. The Mayor of Southampton was then presented, and in a few happily-chosen words, invited General Garibaldi to become his guest, in the name of the town and corporation. The reply was simply, "Mayor, I thank you, and I accept your invitation." Though these words could not be heard far beyond the spot where they were uttered, the substance of them was soon transmitted, and the satisfaction of the crowd was marked by a hearty cheer. It was nearly half-past three when the "Ripon" was laid alongside the dock sheds, where within the hoarding, through the sheds, had been passed a couple of hundred persons, among whom were three or four old Garibaldians in their red shirts, and several ladies, the majority of whom bore bouquets, several wearing red cloaks. Introductions were now commenced; a number of ladies were presented as Garibaldi descended from the paddle-box, after shaking hands warmly with, and thanking for his attention, Captain Rogers. And by this time the deck of the "Ripon" having become inconveniently crowded, as well by passengers anxious to get on shore as by the people who had forced themselves on board, it was some time before the General could reach the saloon stairs, and the gangway, which was very steep, and which he mounted with some difficulty. When he reached the shore, a lady, locally renowned for her Garibaldian poetry, gained from Mr. Brinton the privilege of conveying in her carriage the General to the mayor's residence, upon which was hoisted an Italian flag, and around which a throng presently gathered. As soon as politeness would permit, Garibaldi retired to his room.

The remaining days of this week were spent by the General at the house of his friend, Mr. Seely, in the Isle of Wight, and in receiving various honours and hospitalities from the municipal

authorities of Southampton. On Monday, the 11th, his departure for the metropolis took place, and gave occasion to many cordial tributes of popular enthusiasm. The General left Cowes accompanied by Mr. Seely, M.P., and a party of friends and attendants, by the "Medina" steamer, a great crowd being assembled to witness the departure, who evinced their feelings by hearty bursts of cheers. Before he landed, the Mayor of Southampton, wearing his chain of office, came on board, accompanied by other gentlemen, who once again welcomed Garibaldi to the town, through which he was now only to pass as quickly as might be. On his way from the deck of the steamboat to the mayor's carriage he must have shaken hands with 200 persons at least. On his route to the railway station the enthusiasm of the crowd was almost frantic; and the fronts of the houses were all astir with the handkerchiefs that were waved from balconies and windows. The salute fired from the platform as the carriages passed was well nigh too much for some of the horses. At the railway station, which was decorated very profusely with flags, flowers, and laurels, the general handshaking recommenced, and was carried to such lengths, that the General had to be dragged through the entrance, when the doors were closed. A train of ten carriages, the centre one of which was festooned with laurel and tastefully decorated with azalea blossoms, had been specially provided by the South-Western Company, one of whose directors—the Hon. Ralph Dutton—rode with Mr. Godson, the traffic manager, on the engine, which was draped with the Italian flag. At twelve o'clock, in spite of hindrances, the train started. At Winchester a hearty demonstration awaited him, both sides of his carriage being invaded by people desirous of showing him respect, and above all of shaking hands with him. An address was read here, the municipal authorities having all assembled in their robes of office. At Micheldever and at Basingstoke there were halts, filled up with the huzzas of the assembled population. At Clapham the Freemasons' Schools joined in a shrill cheer as the train slackened speed, and from this point the groups of spectators became larger and more frequent till they began to line the railway in continuous crowds. At Nine Elms every window and parapet was alive, and workmen sat in close rows along the tops of the roofs. All the sheds on the premises of the railway company were covered in this manner, and it would be difficult to do justice to the enthusiasm that prevailed.

The largest of the sheds at the arrival station had been cleared and decorated, and the platform leading to it was covered with a handsome Brussels carpet. A band stationed in the midst played first the Garibaldian Hymn, and then a bar or two of "See the conquering hero comes." The procession of the trades unions had meanwhile been forming in the Wandsworth-road, and their banners were among the conspicuous objects visible to those persons who were in the train when it glided into the station. Round the interior of the shed, mingled with the drapery, were

legends such as "Welcome Garibaldi," "The Pure Patriot," "The Help of Italy." Peers and members of Parliament were there, as well as the representatives of working trades. The hon. secretary of the City Committee, Mr. John Richardson, read a congratulatory address.

Garibaldi, replying in English, said: "I am very happy to be enabled to-day to give my thanks to this noble nation for its general sympathy for the cause of my country and for the cause of mankind. Long ago I wished for this day, and I am very happy to-day to express to all my gratitude." The applause at every short sentence of this speech was immense. The address of the working men's committee, lithographed on vellum, and illuminated with commendable art, was next presented, and was as follows:—

"ILLUSTRIOUS CHIEF: In the name of Britain's sons and daughters of toil, we bid you welcome to this metropolis. We hail you as the representative of a regenerated and united Italy, and for the love we bear to that beautiful land and its noble people, so long oppressed—but now, thanks to your devoted patriotism and indomitable courage, almost freed from the foreign oppressors—we bid you welcome. Your name is to us a household word, the symbol of liberty, associated with lofty daring, bold enterprise, and unselfish devotion to the cause of human progress: for your noble deeds we thank, love, and welcome you; and in the name, the sacred name, of that liberty for which you have fought, bled, and won for the oppressed peoples, we give you a place, the first place in our hearts; and while doing so we cannot forget that there are many who have been associated with you in your glorious enterprises who are also deserving of our admiration and esteem, especially the illustrious Joseph Mazzini, who has done so much for Italy, freedom, and humanity. We therefore hope soon to be able to show our love for your co-workers. Accept then, dear brother, our heartfelt delight at seeing you in our midst; and, expressing a fervent desire for the full realization of your hopes, viz. your country's and the world's freedom, once more—in the unbounded fulness of our love for you and liberty—welcome."

To this address he replied, amid renewed cheers, as follows:—"I like to see the working man particularly. I am very grateful, and will never forget in my life the welcome of that class I have the honour to belong to. You call me brother. I like to be called the brother of the working man in every part of the world."

While the addresses were being presented a numerous company surrounded Garibaldi, among whom were the Duke of Sutherland, the Earl of Shaftesbury, Lord and Lady Kinsale, the Marquis Townshend, the Hon. Arthur Kinnaid, M.P., and other members of Parliament. The scene in the streets through which the General was expected to pass to the residence of the Duke of Sutherland was very remarkable. Long before the special train was due the



neighbourhood of Nine Elms exhibited all the symptoms of a feverish state of excitement. The approaches to the station were surrounded by inquisitive throngs, eager to elicit the slightest information as to which was the place most likely to afford the least obstructed view; and within all was bustle and activity. When the roar of the incoming train was heard, the volleys of shouts that rang through the air immediately afterwards announced that Garibaldi had reached the station. The sound of the Garibaldi Hymn, as sung and played by the united Italian band upon the platform within the building, fell cheerfully upon the ears of the outer crowd, and perhaps helped them to vividly picture the scene that was taking place within; for from that time even the hum of conversation seemed to cease as by universal consent, and the tramp of a mounted policeman keeping order on the ground alone broke the stillness of the expectant throng. Their hopes were soon to be gratified. At five minutes to three a sudden burst of sunshine illumined the sky, and in the midst of the warm and genial rays that gave brightness to the first truly spring day (in town), General Garibaldi came forth, amidst such resounding acclamations, that far away down the Wandsworth-road, where the procession was ready marshalled, the exultant cheers must have told the leaders of each section it was time to be afoot. Attired in that simple and becoming costume with which all London had become anticipatively familiar, the General was handed into his carriage, drawn by four horses, and a hundred hands were outstretched at once to grasp his own in cordial greeting. To these signs of enthusiastic fervour Garibaldi responded with equal courtesy and rapidity as fresh claimants pressed upon his attention; and the carriage moved away in the midst of the forest of palms that had sprung up around it. On reaching the gate leading into the Wandsworth-road, the General's carriage was drawn up by the side of the roadway. Here he waited whilst the enormous procession filed past him. The procession would have been, perhaps, considered at one time a grand demonstration in itself; but it was so completely overshadowed by the greater scene that afterwards became visible, in the outpouring of the whole population of London to witness the man of whom it was in honour, that its importance was lost in comparison. Led off by the Cordwainers, and followed by the Temperance, the Odd Fellows, the Druids, and the several trade societies, with their respective bands and banners, each member gaily dressed with the symbolical sashes and medals of their respective orders, the tramp of a marching multitude was heard for nearly three-quarters of an hour before the rest of the carriages could follow in their course. Measuring numbers by the time required to pass them before the eye, upwards of thirty thousand must have taken an active part in this portion of the day's proceedings, and the constant recognition by the General of the personal greetings and fervent acclamations of the im-

mense numbers who gave a salutation as they passed, ought to be remembered in estimating the amount of fatigue he was called upon to undergo in response to this spontaneous homage of the people. In the continuous roar of cheering that came from every throat in that stupendous concourse that had gathered at the starting-point there was no interval, and the sight of the vast multitude that filled nearly every inch of the roadway, blocked up every doorway, gazed from every window, and crested every roof, became the more impressive as it was found to be repeated wherever the eye turned through the whole of the route. Past the site of Vauxhall Gardens, now occupied by rows of unfinished houses, each framework of scaffolding was dotted with long lines of enthusiastic cheerers, from whose lungs came explosions of shouts that could never have been rivalled in intensity of sound by the most sonorous discharge of maroons in the days of its old pyrotechnic glory. In Upper Kennington-lane, the throng, increased by the greater width of the road, gave equal vent to their enthusiasm. It was evident that a general determination had been arrived at to make the day a complete holiday, and the closed shops had enabled their occupiers to display upon the shutters some improvised tribute to the event. Thus, "Welcome, King of Men," "Long live Garibaldi," "Welcome the Pure Patriot," "The Man of the People," "The Hero of Italy," and similar inscriptions, took the place of the more everyday announcements, and were repeated at intervals, with slight changes of form, every where along the road. Past the Triangle, and at Kennington-cross, miles of human faces came into view, all kindling into life and animation as they watched the Italian flag flutter in the distance, and felt that it heralded the approach of the man for whom they had so patiently waited. Habituated as the inhabitants of this quarter of London must have been to the sights of dense crowds collected on the morning and evening of the great Epsom carnival, in the days before railways had robbed the road of its traffic, the accumulated Derby days of their longest experience could never have realized such a vast total of human beings as they then gazed upon. Terraces beyond terraces of sight-seers, eager, expectant, exultant, stretched along the whole way as far as the eye could reach; and even when the eye failed, the ear caught up the murmurous sound of that great ocean of humanity, which seemed to surge and seethe through a hundred channels. Where the Lambeth-road intersects the Kennington-road the mass seemed to become more dense and impenetrable. The preliminary procession had by this time passed to its destination, and nearly an hour had elapsed since the eager gazers had seen the last banner of the trades' societies. The cause of this break in the procession had been the anxiety of the populace to more closely behold the features of the General as he passed, and to attain this end they had so surrounded the carriage as to materially obstruct its progress, notwithstanding the care of the Italian

band who immediately preceded him. The result was a frequent stoppage by the crowd, who, by breaking the line of progress, caused by their own impatience a severe trial of the patience of others. As Westminster-bridge was neared, the amazing crowd, which had hitherto been apparently agglomerating as it rolled along, became such a dense block of human beings, that it seemed doubtful how a passage was to be cut through it. Banners and streamers every where; and from Astley's a banner, with "Welcome, Garibaldi," stretched across the road; but below, nothing but a huge compact wedge of spectators, that from the York-road to the span of the bridge, where rows of hats stood darkly out against the horizon, now glowing with the setting sun, seemed to defy the power of penetration. The enthusiasm that had been so marked amidst the artisan population on the south side of the Thames, seemed to be in no degree lessened on the opposite bank, and the more aristocratic company assembled in the carriages at the West-end became equally demonstrative with the horny-handed workman. Along Parliament-street every window was again filled, and at the Government offices hundreds of faces peering from every corner testified to the general anxiety to see that memorable one pass by. Trafalgar-square, as ordinarily known to Londoners, seemed to be completely changed, and the immense area, to the very summit of the National Gallery, presented one vast wave of upturned faces, that receded with an oceanic roar as the tide of that vast sea of humanity ebbed away. At a quarter past six the last part of the procession passed Charing-cross, and the bells of St. Martin's rang forth a merry peal. Nelson's Monument swarmed with figures to the top of the medallions, the protuberances on which served as the only support for those who rather regarded their use than their ornament. King Charles at Charing-cross had never been so decked before. Several men had crossed the horse's back, and made the animal look perfectly overweighted. The large space in front of the Duke of York's Monument was filled with carriages, and on the opposite side, where the Guards' Monument afforded a favourite resting-place to many military-looking personages, a similar display was made. The club-houses were all brilliantly lit up, and every window occupied, and at every house along Pall-mall groups of fashionably-attired spectators were to be seen at each open casement. It was more than half-past seven before the carriage reached its destination at Stafford House, and Garibaldi entered the mansion, leaning on the arm of the Duke of Sutherland. Red cloth had been laid down from the door to the entrance of the grand staircase, at which point the Duchess of Sutherland advanced and cordially welcomed her illustrious guest. The Duchess Dowager of Sutherland also came forward, and after an interchange of compliments, the Duke of Sutherland conducted Garibaldi to his quarters, there to seek rest and privacy. In the evening there was a quiet dinner, the



circle being confined to eighteen persons—the Duchess Dowager of Sutherland, the Duke and Duchess of Argyll, and a small family party, being the principal persons present.

The entire period of Garibaldi's stay in London, which extended from the 11th to the 22nd, was occupied in receptions, banquets, ceremonials, and visits to the great national establishments or objects of public interest. Throughout the whole period the General lived and moved in the eye of the people. It was a time of continued excitement, and must have been attended with no slight fatigue to the object of so much national homage.

On the 12th, the day after his arrival in London, the General went with the Duke and Duchess of Sutherland and a select company to lunch with the Dowager Duchess of Sutherland at Chiswick. On his way he called at Cambridge House, and stayed about a quarter of an hour with Lord Palmerston. As he passed along the streets the people warmly welcomed him. In the course of the day he received addresses from the vestry of St. Pancras and from the Polish Committee. In the evening he paid a visit to Mr. Stansfeld, M.P.

The next morning Garibaldi visited Mr. Seely, M.P., and afterwards paid a visit to Earl and Countess Russell at their residence in Chesham-place. After a luncheon at Stafford House, the General, accompanied by the Duke of Sutherland and General Eber, inspected Woolwich Arsenal. The Duke and Duchess of Sutherland gave a grand entertainment in the evening at Stafford House. A brilliant evening assembly followed the banquet, Viscount and Viscountess Palmerston, the Earl and Countess of Derby, Earl Granville, the Earl and Countess of Clarendon, the Duke and Duchess of Argyll, the Chancellor of the Exchequer and Mrs. Gladstone, and about forty personages of the highest rank, without distinction of party, having been invited to meet the gallant General.

On the 14th, Garibaldi visited the Royal Italian Opera. The Floral Hall, which makes a grand reception-room, was thrown open. The performances chosen were the opera of "Norma," and, most appropriately to the occasion, the two great acts of "Massaniello."

On the 15th, he went down to Bedford, to see steam ploughing, and visit Messrs. Howard's factory, a special train having been placed at his disposal by the directors of the Midland Company. The party consisted of Garibaldi, his two sons, His Grace the Duke of Sutherland, Lord A. L. Gower, Lord Alfred Paget, &c. A full hour was devoted to the inspection of the factory interior, and it was a remarkable proof of the discipline maintained there, or of the good taste of the men, or both, that not one of the whole 500 artisans employed by Messrs. Howard raised his head from his bench, or interrupted his work for a moment, to stare at him, or to seek to wring his hand. Every thing was shown to him, and to every thing he paid minute attention, asking pertinent questions, and otherwise exhibiting great interest in the work.

On the 16th, at an early hour, the General visited Messrs. Barclay and Perkins' Brewery, and inspected the extensive premises, the processes of brewing being explained to him by one of the members of the firm. The workmen employed there gave him an enthusiastic reception, which he warmly acknowledged; and a tankard of porter being presented to him, he drank it to the good health of all present. Returning to breakfast at Stafford House, he started again about noon, accompanied by his two sons and the Duke of Sutherland, for the Crystal Palace. The reception of Garibaldi at the Palace was an event which will not soon be forgotten by those who were present, and it was one which appeared to afford him unqualified gratification. The appearance of the interior was, as it always is when vast crowds are collected beneath its roof, grand and imposing in the extreme. The numbers present were variously estimated at from 25,000 to 30,000. All this mass of people, brought together in and near the centre transept, anxiously awaited the arrival of the one object of their hero-worship; and when he had been conducted to his seat in the balcony, every face of those thousands of spectators being turned towards him, or again when the pent-up enthusiasm of the people found expression in tumultuous cheering, the scene was one of a remarkable character—such as can only be witnessed on great public occasions at the Crystal Palace. The company present included a large number of the aristocracy, and members of both Houses of Parliament, and of the legal, scientific, and literary professions. From about ten until two o'clock, one constant and almost unbroken stream of private carriages and cabs conveyed the visitors to the Palace. The General, who was accompanied by the Duke of Sutherland and Lord Shaftesbury, was received at the north wing of the building by Mr. Farquhar, chairman of the Crystal Palace Company; Mr. Bowley, the manager, and Mr. Grove, the secretary; and Signor Rossini, secretary of the Italian Committee; also by representatives of the Italian committees in London. The members of these committees wore the scarfs of the Italian tricolour, and were ranged upon each side of the entrance and along a portion of the tropical department. The members of the Italian Committee presented him with a flag displaying the Italian colours, and bearing upon it the words, "Rome and Venice." Garibaldi received it with evident gratification. He commenced at once to address the representatives of the Italian working men. He spoke to them in Italian, and with an animation and eloquence which contrasted in a remarkable manner with the few simple phrases with which he had hitherto, with considerable difficulty and hesitation, acknowledged the compliments paid to him. From this apartment Garibaldi was conducted to the gallery, and at this point he stayed a short time to admire the beauty of the tropical plants, which could be seen to perfection, as there was no crowding of visitors in this portion of the building. He was wheeled along the gallery in a Bath chair, followed by the mem-

bers of the Committee and those who had accompanied him to the Palace. The moment he was seen by those who crowded the nave, the cheering recommenced, and the wave of sound kept advancing as the party progressed, until it reached its utmost force when Signor Negretti handed Garibaldi to his seat. Then from the galleries, north, south, east, and west, far away along the southern nave, under the galleries, from tier upon tier of the vast Handel orchestra, from the front where the Dowager Duchess of Sutherland, the Lady Constance Grosvenor, the Marquis of Lorn, and a fashionable party were seated; from the spot where Mario, Giuglini, Santley, Graziani, Mdlle. Vitali, Rossi, and the other Italian singers were standing; there went up from one and all a burst of cheering, forming one united roar of applause, while waving of handkerchiefs, coloured ribbons, and bouquets, gave animation to the scene. Garibaldi bowed repeatedly, but each time he bowed seemed only to give fresh vitality to the cheers. In the full flow of this scene the band struck up the now familiar strains of the "Garibaldi Hymn," and the Italian concert, given in his honour, was commenced. The "National Anthem," given with grand and imposing effect, brought the concert to a close, and then followed more cheering and more loyal shouts for her whom Garibaldi so truly and so happily called the "Cara Regina," and all felt that it wanted only the presence or recognition of that sorrowing Queen to complete the noble demonstration in honour of Garibaldi.

The next portion of the proceedings consisted of the presentations to the General. The balcony in which he was seated was advanced from the angle on the north side of the transept, and was tastefully draped with the national colours of Italy. Around the transept was the inscription, "Viva Garibaldi!" and words of a similar complimentary or patriotic character were displayed in other parts of the building. Signor Rossini, the secretary, accompanied by Signor Serena, Signor Semenza, the vice-presidents, and other members of the Italian Committee, then came forward to present the sword.

Signor Rossini, in presenting it, said: "Accept, General, this sword, which the Italians resident in London present to you as a mark of their admiration, and in memory of the reception given to you by noble and free England. May this sword, handed to you in this temple of peace by an exile of Venice, be destined to accomplish the independence of our beloved Italy."

Garibaldi, in accepting the sword, said: "I thank you, Italians, for this beautiful present. I promise you I will never unsheath it in the cause of tyrants, and will draw it only in support of oppressed nationalities. I hope yet to carry it with me to Rome and to Venice."

Addresses from Italians resident in London were then presented, after which, Garibaldi was conducted to the balcony in the garden front, from whence he could have a view of the whole of the foun-



tains. Unfortunately, the sky was overcast, and rain had fallen heavily during the day, making the gardens and fountains less attractive than they would otherwise have been. As it was, the scene from the balcony was a very exciting one, and Garibaldi was highly delighted with it. An Italian amateur wind band performed a selection of Italian patriotic airs on the terrace immediately in front of the balcony. When the fountains had ceased to play, Garibaldi returned in the Bath chair along the gallery, and after resting a short time in the apartment where luncheon was provided, he left the Palace with as hearty cheers as those which had greeted him on his arrival.

The second week of Garibaldi's stay in London was spent as follows:—Monday, the 18th, was devoted to a second excursion to the Crystal Palace. The admission on this day being one shilling only, the visit was designed to give the humbler classes in various parts of the country an opportunity of enjoying the presence of the great object of their admiration. The attendance, however, was not so large as had been anticipated—about 25,000 persons were present. Great numbers of congratulatory addresses were presented. Deputations from many of the provincial towns were presented to the General, and he experienced a reception not less cordial than had on any former occasion been accorded to him. The next day, Garibaldi, who had now removed from Sutherland House to the residence of Mr. Seely, at Prince's-gate, Hyde Park, held a sort of levée or reception there, which was very largely attended. In the evening he paid another visit to the Italian Opera House, at which an aristocratic demonstration at the close of the performance rivalled in warmth and energy the most ardent displays of popular feeling exhibited elsewhere. Wednesday, the 20th, was appropriated to receive the honours voted to the patriot by the City of London. The procession of the General and his suite through the streets of the metropolis, from Prince's-gate to the Guildhall, was one continued ovation—crowds of spectators lining the road throughout, and sustaining an unbroken shout of triumph and applause from the commencement to the end of his progress. Received by the Lord Mayor and the members of the Corporation with every mark of honour and distinction, Garibaldi was presented with the freedom of the City in a gold box; and in a few glowing words expressed his pride at being enrolled a member of the great Corporation, so renowned in the annals of commerce and of freedom. The General then signed the roll of citizenship, and was escorted to the Mansion House, where he was entertained at a splendid luncheon in the Egyptian Hall, the Lord Mayor presiding, and about 250 persons being present. The health of the illustrious visitor was proposed by the chief magistrate, and was drunk with every mark of honour. Garibaldi briefly expressed his thanks, and in turn invited the company to drink to the health of the Lord Mayor and the Lady Mayoress. The procession then returned, amidst the same popular acclama-

tions as before, to Prince's-gate. In the evening the General was entertained at dinner by the Chancellor of the Exchequer, a distinguished party being invited to meet him. The employments of the 21st were, an early visit to the tomb of Ugo Foscolo at the Chiswick Cemetery; a breakfast or luncheon at the Reform Club, at which Lord Ebury presided, and congratulatory speeches were delivered; a visit to the two Houses of Parliament during their time of sitting; a drive to Richmond Lodge to visit Earl Russell; and a dinner at Fishmongers' Hall in the evening.

The last day of Garibaldi in London (the 22nd) was spent in visits to various distinguished persons. He breakfasted with the American Consul, where several ladies and gentlemen were presented to him; afterwards he drove to the residence of the Earl of Shaftesbury, and then he went to Stafford House, where His Royal Highness the Prince of Wales, who had come up from Sandringham that morning, had an interview with him and remained with him some time.

Garibaldi issued the following address on leaving London:—

"I offer my heartfelt gratitude and thanks to the English nation and their Government for the reception I have met with in this free land.

"I came here with the primary object of thanking them for their sympathy for me and for my country, and this my first object is accomplished.

"I have desired to be altogether at the disposition of my English friends, and to go to every place where I might be wished to go; but I find that I cannot now fulfil all these engagements of my heart.

"If I have caused some trouble and disappointment to many friends, I ask their pardon; but I cannot draw the line between where I could and where I could not go, and therefore for the present these are my thanks and my farewell.

"Still I hope, perhaps at no distant time, to return to see my friends in the domestic life of England, and to redeem some of the engagements with the generous people of this country, which, with deep regret, I feel that I cannot now fulfil.

"G. GARIBALDI.

"26, Prince's-gate, London, April 22."

In the afternoon the General drove to Cliefden, in Berkshire, the residence of the Duchess Dowager of Sutherland, where he planted a cork-tree which had been presented to Her Grace by the Duke of Richmond. At an early hour next morning Garibaldi was moving about the grounds. About half-past eleven the General, accompanied by the Dowager Duchess of Sutherland and the Duchess of Argyll, left Cliefden House in a carriage and four, and drove to Windsor, where they inspected the Model Farm and the Flemish Farm, the General taking a lively interest in both.

A select party was entertained at Cliefden House in the afternoon, the company being invited at three o'clock to luncheon; after which Garibaldi and some friends formed a boating party on the Thames.

On Monday morning, the 25th, Garibaldi left Cliefden-park, and, after paying a brief visit to Eton College, took the train at Slough. At Didcot, Bath, and Bristol, addresses were presented to him. About half-past five o'clock he arrived at Weymouth, went on board the "Edgar" (Admiral Dacres' flag-ship), and inspected the fleet in Portland Roads. After a stay of a couple of hours he landed again, took train, and proceeded to Plymouth. The General was received at all points of his journey with the greatest enthusiasm. After passing the night at Penquite, Colonel Peard's residence, Garibaldi received the next day several addresses. In his replies he said that England had the good wishes of all the nationalities of Europe, because she had no wish to take the property of other nations. He specially instanced the cession of the Ionian Islands as proof of this.

On the 27th, Garibaldi went on board the Duke of Sutherland's yacht, the "Undine," at Fowey, and, in company with the Duke and Duchess and the Duchess Dowager, proceeded for Caprera. He was, however, driven by stress of weather back to St. Mawes Bay, which he left on the following day. Previous to his departure, Garibaldi addressed a farewell to the English people, in which he highly lauded our countrymen and our institutions, and intimated that it is his earnest desire that Italy should imitate us and copy our habits and customs. At the same time he frankly confessed that Italy would never be at rest till her two oppressors were removed. England was invited to help in this work, and in the cause of all the exiles who now found refuge on our shores, and we were assured that we should have a powerful ally in France when France was free.

To this account of the brilliant reception and triumphant welcome of the illustrious Italian in this country, it should be added that his departure at an earlier date than had been anticipated, and while many of the numerous invitations which he received remained unaccepted, occasioned considerable dissatisfaction in some quarters. An idea prevailed, chiefly among those who regarded themselves as the organs of the working classes, that the Government of the country found the presence of the great Italian patriot an embarrassment to them, and were anxious for political reasons to accelerate his departure. The grounds alleged for shortening his visit, namely, the enfeebled state of the General's health, which the excessive fatigue and excitement of the last fortnight must have put to a severe test, and the impossibility of his fulfilling within any reasonable time even a tithe of the numerous invitations which courted his acceptance, were regarded by the persons above referred to as mere pretexts and excuses of the authorities for getting rid of a troublesome guest. To remove



these misconceptions, the Chancellor of the Exchequer, who had been in constant and cordial communication with Garibaldi since his arrival, took great pains to explain in the House of Commons the reasons which made an abridgment of his visit not only desirable, but necessary in the judgment of those most interested in his health and well-being. Still, notwithstanding these protestations, the idea that their favourite hero had been hurried out of the country to suit the convenience of the Ministry, was one which it was difficult to eradicate from the minds of a certain section of politicians. But for this misunderstanding, the visit of the Italian Liberator to England was an event of unalloyed success and unanimous gratification.

23. THE SHAKSPEARE COMMEMORATION.—The three hundredth anniversary of Shakspeare's birthday was celebrated on the 23rd of this month, and the following week, with more or less appropriate festivities in London and in many of the provincial towns. But it was the town of Stratford-on-Avon which was the principal scene of this festival, and the national demonstration of regard for the memory of our great poet was fitly centred in his native place. For this reason, and because the Stratford celebration assumed a degree of importance and dignity to which that of London could not pretend, we begin our account of the Shakspeare festivities with what was done in that town.

The morning of Shakspeare's birthday was announced by no volleys of cannon or ringing of bells, but the streets were adorned with flags and banners; the townsfolk and visitors, for the most part, wore the Coventry-manufactured Shakspeare badge; and bands of music went up and down, filling the air with sounds of jubilation. Large numbers of people from a distance arrived by the morning trains, and spent two or three hours before the three o'clock banquet in examining the old house in Henley-street and the contents of the Shakspeare Museum; or the site of Shakspeare's mansion, called New Place, with its gardens, in another part of the town; or Anne Hathaway's cottage at Shottery, a short walk across the fields. In the Town-hall was exhibited an interesting collection of pictures illustrative of Shakspeare's works and life. The Mayor of Stratford, Mr. Charles Flower, with the members of the Town Council, here received an address from the "Free German Institute of Arts and Sciences at Frankfort-on-the-Main," presented by Professor Max Müller, of Oxford, and Professor Leitner, of King's College, London. The former of these gentlemen spoke as follows:—

"The city of Frankfort, the birthplace of Goethe, sends her greeting to the city of Stratford-on-Avon, the birthplace of Shakspeare. The old free town of Frankfort, which since the days of Frederick Barbarossa has seen the Emperors of Germany crowned within her walls, might well at all times speak in the name of Germany. But to-day she sends her greeting, not as the proud mother of German Emperors, but as the prouder mother of the

greatest among the poets of Germany, and it is from the very house in which Goethe lived, and which has since become the seat of the 'Free German Institute for Science and Art,' that this message of the German admirers of Shakspeare has been sent across, which we are asked to present to you, the Mayor and Council of Stratford-on-Avon. When honour was to be done to the memory of Shakspeare, Germany could not be absent, for next to Goethe and Schiller there is no poet so truly loved by us, so thoroughly our own, as your Shakspeare. He is no stranger with us, no mere classic, like Homer, or Virgil, or Dante, or Corneille, whom we read and admire and then forget. He has become one of ourselves, holding his own place in the history of our literature, applauded in our theatres, read in our cottages, studied, known, loved, 'as far as sounds the German tongue.' There is many a student in Germany who has learnt English solely in order to read Shakspeare in the original, and yet we possess a translation of Shakspeare with which few translations of any work can vie in any language. What we in Germany owe to Shakspeare must be read in the history of our literature. Goethe was proud to call himself the pupil of Shakspeare. I shall at this moment allude to one debt of gratitude only which Germany owes to the poet of Stratford-on-Avon. I do not speak of the poet only, and of his art, so perfect because so artless; I think of the man with his large, warm heart, with his sympathy for all that is genuine, unselfish, beautiful, and good; with his contempt for all that is petty, mean, vulgar, and false. It is from his plays that our young men in Germany form their first ideas of England and the English nation, and in admiring and loving him we have learnt to admire and to love the people that may proudly call him their own. And it is right that this should be so. As the height of the Alps is measured by Mont Blanc, let the greatness of England be measured by the greatness of Shakspeare. Great nations make great poets; great poets make great nations. Happy the nation that possesses a poet like Shakspeare. Happy the youth of England whose first ideas of this world in which they are to live are taken from his pages. That silent influence of Shakspeare's poetry on millions of young hearts in England, in Germany, in all the world, shows the almost superhuman power of human genius. If one looks at that small house, in a small street of a small town of a small island, and then thinks of the world-embracing, world-quickenning, world-ennobling spirit that burst forth from that small garret, one has learnt a lesson and carried off a blessing for which no pilgrimage would have been too long. Though the great festivals which in former days brought together people from all parts of Europe to worship at the shrine of Canterbury exist no more, let us hope, for the sake of England more than for the sake of Shakspeare, that this will not be the last Shakspeare festival in the annals of Stratford-on-Avon. In this cold and critical age of ours, the power of worshipping, the art of admiring, the passion of

loving what is great and good are fast dying out. May England never be ashamed to show to the world that she can love, that she can admire, that she can worship the greatest of her poets. May Shakspeare live on in the love of each generation that grows up in England! May the youth of England long continue to be nursed, to be fed, to be reproved and judged by his spirit! With that nation—that truly English, because truly Shakspearean, nation—the German nation will always be united by the strongest sympathies; for, superadded to their common blood, their common religion, their common battles and victories, they will always have in Shakspeare a common teacher, a common benefactor, a common friend.”

The address itself was signed by Herren Volger, Kress, Heyden, and Scheideck, the President, Vice-Presidents, and Secretary of the Frankfort Institute, sitting in the house where Goethe was born. It compared the respective merits of English and German literature with each other, acknowledging Shakspeare as the greatest poet and painter of the human heart, but claiming for Goethe to be the greatest among the host of the admirers of Shakspeare. The presentation of this address was the first public formality of the day. The Mayor, assisted by Lord Leigh, the Vicar of Stratford, and other local members of the committee, about this time received their most distinguished guests, amongst whom were the Earl of Carlisle, the President, the Earl of Shrewsbury, Lord Lyttelton, Lord Wrottesley, Lord Houghton, the Archbishop of Dublin, the Bishop of St. Andrew's, the Lord Mayor of York, and others. At three o'clock a grand banquet took place in the pavilion, which had been so constructed that it might serve the purposes, alternately, of a dining-hall, a theatre, and a ball-room. The upper table, reserved for the president and most distinguished guests, was placed in front of the stage, in place of the moveable orchestra. Behind the table were the reporters, and behind these again were the choir of Stratford Church, who enlivened the proceedings with some vocal music. Upon the floor in front of the orchestra were eight tables, placed at right angles to the president's table; other tables were placed on the stage, or in front of the grand tier of boxes. About 700 ladies and gentlemen sat down to eat, while there were hundreds more as spectators in the galleries. The interior of the pavilion was seen to great advantage when filled with company and converted to the purpose of a social entertainment. The stage was backed with a landscape scene, which gave to the banquet at the tables immediately adjoining somewhat the aspect of a *fête champêtre*. The tables were decked with a variety of ornaments, amongst which were copies of the bust of Shakspeare. Appropriate quotations were inscribed on the walls, such as this, from “King Henry VIII.,” act i. scene 2:—“You are welcome, my fair guests. This to confirm my welcome, and to you all good health!”



The chair was occupied by the president, the Earl of Carlisle, who had the Archbishop of Dublin and Bishop of St. Andrew's, the Mayor and Vicar of Stratford, Lord Houghton and Lord Wrottesley, on his right hand; Lord Leigh, the Earl of Shrewsbury, Lord Lyttelton, Mr. Adderley, M.P., and the Lord Mayor of York, on his left hand. The noble chairman, when the cloth was removed, gave the loyal toasts in a truly Shakspearean style, applying to Queen Victoria, for instance, the eulogy which Shakspeare wrote for Queen Elizabeth; and ascribing to the Prince of Wales, husband of a Danish Princess, the good qualities of that Prince of Denmark, whom Ophelia calls "the expectancy and rose of the fair State." His Lordship next rose and said:—

"Ladies and Gentlemen,—I come now to what we sometimes hear called the 'toast of the evening'—yes, and the toast of the year; and I may with truth call it the toast of my life. This may give a hint to me, before I say one word more, that I ought in some way to account for being where I am. I will make no excuse for my own unworthiness, because, if we come to that, who can be deemed worthy to speak in behalf of Shakspeare? Plato might write of Socrates; but who could be the interpreter of Shakspeare? I believe that I am wholly indebted for the signal honour I am now possessed of to the circumstance of my having filled the office of Chief Commissioner of Woods and Forests when some negotiations were being carried on respecting the purchase of Shakspeare's house in this town, which apparently established a kindly feeling between me and the inhabitants of Stratford-on-Avon, which may have naturally led to their recurring to their previous recollections in connexion with the present celebration. In my case, it is a distinction which, as it was the last I should have anticipated for myself, I also thought the last that ought to be declined. I pass on to worthier themes. I heartily approve the idea of this festival. I think the leading events, epochs, and persons of this our earth require their occasional commemoration. Life is stagnant enough—men and women are commonplace enough—to avoid the risk of such disturbances cropping up too frequently. Least of all, can the nation which boasts of Shakspeare fear to misplace her homage; and, as I think it right that such a celebration should be held, I am not less clear that the right place to hold it in was Stratford-on-Avon—his own Stratford-on-Avon—that Stratford-on-Avon around which all we know of Shakspeare, all except his undying works, is exclusively clustered; here, on about the most central ground of his own fair England, where I cannot but fancy that the whole impress of the scenery and rural life around is so unmistakably English, that we like to be reminded how homelike, and special, and insular was the cradle of that poet for whom we claim the mastery over the universal heart of man, the password over the earth and the many worlds beyond it. We are following, too, the good English rule of precedent which was set for us by the celebration at Stratford in the last century, mainly under the auspices of

him who seems to be universally acknowledged, out of the long line of illustrious players of either sex, dead or living, who have distinguished and, in some instances, identified themselves with the leading characters of Shakspeare, to have held the foremost place as the interpreter of Shakspeare—David Garrick. But since that well-timed homage of the England of the eighteenth century to the memory of Shakspeare, with what colossal strides has his fame advanced in the estimation of mankind! In our own country, at the previous period, the public taste still allowed the representation of his plays to be overlaid by the clumsy alterations and tinsel additions of Dryden, of Cibber, and of Garrick himself—*Et tu, Brute*. I need not point out the gratifying contrast which the reverential and affectionate retention and restoration of the original text, and let me add the scrupulous attention to the whole keeping and chronology of the minutest accessories of the representation, supplies in our days. Then abroad, the middle of the last century was the time when fast and fierce flew the arrows against the alleged barbarism of Shakspeare, aimed from the sarcastic armoury of Voltaire, which did not spare higher things than Shakspeare himself. Consult the first living names in the brilliant literature of France, and mark, not how altered, but how reversed, the tone is in which Shakspeare is now spoken of and judged. As to Germany, I believe her boast is that she reveres, understands, and fathers him even more thoroughly than ourselves. I believe I may cite Goethe as the most representative name in the varied and teeming range of German literature; how does he designate Shakspeare? as the greatest traveller in the journey of life. Happily, any endeavour to define or gauge the genius of Shakspeare would be as much beyond my mark as it would be beyond the limits and requirements of a scene like this. I think he would be a very clumsy worshipper at his immortal shrine who would not admit that his merits and beauties, while they are transcendent, are still unequal, and that taking the whole range of his thirty-six admitted plays, in some of these he not only falls below his own level, but that of several of his contemporaries and successors. But take him in his height, and who may approach him? Presumptuous as the endeavour may appear to classify, there would seem to be a few great tragedies which occupy summits of their own—‘Macbeth,’ ‘Hamlet,’ ‘Lear,’ ‘Othello;’ I feel we may take our stand within that unassailable *quadrilateral*, and give our challenge to all the world. I feel indeed tempted to upbraid myself when I think of all the outlying realms of strength and comeliness which I thus seem to leave outside; the stately forms of Roman heroes—the chivalry marshalled around our Plantagenet Kings, the wit of Mercutio, Beatrice, and Falstaff—the maiden grace of Imogen, and Miranda—Ariel the dainty sprite, Oberon and his elfin Court—the memories which people the glades of the Ardennes, the Rialto of Venice, the garden of Verona, giving to each glorious scene and sunny shore a stronger lien upon our associations than is possessed

even by their own native land. It is time that I should call upon you, in the right of all the recollections which must throng in your own breasts far more copiously and vividly than I could hope to present them to you—by the thrill you have felt in the crowded theatre, amid all the splendour of dramatic pageantry—by the calmer enjoyment of your closet leisure—by the rising of your soul when the lines which breathe and warm have led you to recognize and adore the Giver of such gifts to men, to join me in drinking, not with the solemn silence which a more recent death might have enjoined, but with the reverential love and the admiring fervour due to the day and the man—‘The Memory of Shakspeare!’”

This toast was followed by prolonged cheering, and demonstrations of the liveliest enthusiasm, the whole company rising to do it more marked honour, and the glee “Thou soft-flowing Avon,” was sung.

Sir L. Palk proposed the toast of “The Bishops and the Clergy,” to which the Archbishop of Dublin responded.

Various other toasts were then given and responded to. General Ainslie and the Earl of Shrewsbury returned thanks respectively for the Army and Navy, proposed by Mr. Byng. Mr. Creswick responded for “The Drama,” proposed by Sir W. Fraser. The health of the chairman was proposed by Sir R. Hamilton. The chairman replied, and proposed “The Poets of England,” to which Lord Houghton responded. The toasts of the poets of Ireland, Scotland, America, and all nations were respectively given by Lord Wrottesley, Sir E. Wilmot, Mr. Adderley, and Professor Leitner. The concluding toast was “The Mayor and Corporation of Stratford.” The assembly then broke up at half-past seven o’clock, the Earl of Carlisle being cordially cheered on the termination of the proceedings.

In the course of the evening a translation of the German address was read amid much cheering. The Mayor promised it should be preserved in Shakspeare’s house.

At nine o’clock there was a brilliant display of fireworks by Mr. Darby in an open place adjoining the town.

In the Tercentenary Festival the Church took a conspicuous part. Two sermons were preached, one by the Archbishop of Dublin, the other by the Bishop of St. Andrew’s. The Archbishop delivered his discourse on Sunday morning before a congregation that filled to overflowing the Church of the Holy Trinity. His text was taken from the Epistle of St. James, chap. i. ver. 17, “Every good gift and every perfect gift is from above;” and his sermon was a discriminating and instructive discourse on Shakspeare, that lasted for nearly an hour. The numerous attendance at the church was a satisfactory proof that the Shakspeareans had not forgotten the Creator in the creature; and he proceeded to show how the great creature of the festival had been a “good gift,” a real blessing to Englishmen.



On the 24th, from twelve to four o'clock, there was a performance of Handel's oratorio, "The Messiah," in the pavilion, which was tolerably well filled. The principal vocalists were Mr. Sims Reeves, Mr. Santley, Mdme. Parepa, and Mdme. Laura Baxter; the choruses were supplied by the London Sacred Harmonic Society, the Festival Choral Society, and Amateur Harmonic Society of Birmingham, the Festival Choral Society of Worcester, and the choir of Trinity Church, Stratford-on-Avon, mustering nearly 400 voices altogether. The orchestra numbered 120 performers; Mr. Blagrove was the leader, and Mr. T. Harper played the trumpet solo. The oratorio, under the conduct of Mr. Alfred Mellon, was admirably performed; Mr. Sims Reeves was in excellent voice; the choruses, who had had no previous rehearsal, kept well together and discharged their parts with great precision and effect. In the evening there was a miscellaneous concert in the same place, the selection of vocal music consisting of those pieces which are set to the words of Shakspeare's songs.

Tuesday, the 25th, was devoted to an excursion to Charlecote, Lucy, and other places of Shakspearean interest, with a performance of "Twelfth Night" in the evening at the pavilion by the company of the Haymarket Theatre. Mr. Buckstone played Sir Andrew Aguecheek. A farce, in which Mr. Sothern performed the chief part, concluded the entertainment.

On the 26th there was a Shakspeare reading in the morning, and in the evening a representation of "Romeo and Juliet" and of the "Comedy of Errors" by the company of the Princess's Theatre, including Mdle. Stella Colas in the character of Juliet, and the brothers Webb for the twin Dromios. These plays were substituted for "Hamlet," in consequence of Mr. Fechter's withdrawal from his part in the festival.

On the 27th there was a concert of instrumental music, varied by glees from the plays of Shakspeare, in the building which was formerly the Stratford Theatre, but which is now called the Shakspeare Rooms. In the evening "As You Like It" was performed at the festival pavilion.

On the 28th there was a grand fancy ball in the pavilion.

*Shakspeare Commemoration in London.*—The only public demonstration in honour of Shakspeare attempted in London was that which was got up by the Working Men's Committee, whose head-quarters are at the Whittington Club. Their undertaking was to plant an oak, the English tree, at the foot of Primrose-hill, in honour of the English poet. The Chief Commissioner of Woods and Forests, Mr. W. F. Cowper, had not only given his permission, but had asked the Queen to give a sapling from Windsor Park for the purpose of the interesting ceremony. Mr. Phelps, the tragic actor, had consented to perform the office of planting the tree; and many of the gentlemen connected with the London theatres and dramatic

literature—such as Mr. Benjamin Webster, Mr. Henry Marston, Mr. Westland Marston, Mr. Sterling Coyne, Mr. F. G. Tomlins, Mr. Toole, Mr. Horace Wigan, Mr. Linnæus Banks, Mr. Chatterton, and Mr. Cave—took part in the proceedings. The committee had not arranged for any procession, but some of the working men's trades unions and benefit societies, with the Order of Foresters and the Havelock Corps of Volunteers, formed a procession of their own accord. They assembled in Russell-square between two and three o'clock, and marched, with their accustomed banners, through Camden Town to Primrose-hill. A large square space, below the steep ascent, was enclosed with an iron railing, and reserved for those who paid a shilling to enter. Near the spot where the young oak was placed ready for planting was a small platform, covered with crimson serge, to accommodate the speakers. The band of the Hon. Artillery Company was stationed on a large platform behind. Mr. Phelps, who is deservedly a favourite of the London working-men—having taught them to understand and enjoy Shakspeare by his excellent management at Sadler's Wells—was received with cordial welcome. Having been invited by Mr. George Moore to ascend the platform, he stood before the applauding multitude, and waited a few minutes while the tree, with much of the soil of Windsor clinging to its roots, was lifted and set upright in a hole which had been dug for its reception.

The Chairman then addressed Mr. Phelps, on behalf of the Working Men's Shakspeare Committee, to welcome him there, to aid them in doing honour to what was called the tercentenary of the birth of England's greatest poet. On behalf of that committee he begged to say that they had no desire under the authority of his name to assume an undue position on this occasion, because they were fully aware they could neither say nor do any thing which could add to his lustre and renown; still less were they desirous, being "dressed in a little brief authority," of favouring any ostentatious ceremony. They had, however, ventured to ask him (Mr. Phelps), the student and expositor of Shakspeare, to do them the honour of planting this oak-tree in the name and on behalf of the people, with a view to perpetuate to those who are to come after us the high and universal esteem in which our immortal poet is held at this period of our history. From the Atlantic to the Pacific, wherever the English language was spoken or heard, wherever the English standard was planted, millions would read and admire the poetry and master-mind of William Shakspeare. That vast multitude before and around them on every side testified to the intense feeling of devotion and reverence they had for the memory of their illustrious countryman; and the committee felt, acting for their countrymen at large, that to no fitter hands than those of Mr. Phelps could be consigned the work of the day. He begged, therefore, most heartily to thank him for the generous and ready response he made to their appeal, and he trusted that this vast

assembly would concur with him in this expression of acknowledgment and good-will.

Mr. Phelps replied in the following brief speech :—"I beg you to accept my most hearty thanks for the honour which the Working Men's Shakspeare Committee have done me in giving me an opportunity of beholding one of the grandest spectacles that ever met the human eye. In the name of the workmen of England I plant this tree. May it grow to maturity, and in centuries hence may it be pointed to as the Shakspeare Oak, and, in his own great and glorious words, become an

‘Oak whose boughs are moss’d with age,  
And high top bald with dry antiquity.’

Three cheers, if you please." It is needless to say that this demand was most vehemently responded to, and it was some time ere the enthusiastic multitude could be brought to remember that the business of the day was not at an end.

The next step in the proceedings was the reading of a letter from Miss Eliza Cook by Mr. Moore, expressing that lady's extreme regret that severe illness had prevented her from performing the office of christening the oak, a part of the ceremony which it was arranged she should fulfil. Mrs. Banks, having been requested to act as Miss Eliza Cook's substitute, delivered a brief and graceful address, and then, stepping down upon the mound of earth which held the root of the tree, sprinkled it with water which had been procured for the purpose from the river Avon, and christened it, amidst tumultuous cheering, "Shakspeare's Oak."

Mr. Henry Marston then appeared upon the platform, and recited a few verses, written for the occasion by Miss Eliza Cook, after which Mr. Linnæus Banks addressed the company, in a speech, in which he enlarged upon the interesting associations connected with the object of the day's proceedings.

Next, a "Shakspearean Overture" was performed by the band, and this was followed by an address from the chairman of the Working Men's Committee, and by a four-part song, called "England's Minstrel King," written by Mr. Banks and composed by Mr. G. A. Macfarren. The proceedings terminated with "God save the Queen."

In the evening there was a musical and dramatic fête at the Agricultural Hall, Islington. It included the whole of Locke's music of "Macbeth," Arne's music of "The Tempest," Mendelssohn's music of "Midsummer Night's Dream," Arne's music of "As You Like It," and selections from "Cymbeline," "Henry VIII.," "The Merchant of Venice," "Measure for Measure," "Twelfth Night," "The Two Gentlemen of Verona," "All's Well that Ends Well," and "The Comedy of Errors." Interspersed with these were dramatic recitals by Mr. Henry Marston, Mr. James Bennett, Mr. J. L. Toole, and Mr. Paul Bedford. At ten o'clock the colossal Tercentenary Bust, modelled for the occasion



by Mr. Charles Bacon, was crowned by the people at the hands of Tragedy and Comedy, and the grand chorale, "England's Minstrel King," was sung by a monster choir.

The hall was decorated with one hundred Shakspearean banners. The famous hostelries of Shakspeare's time, including the Boar's Head, East Chepe; the Falcon, the Mermaid, the Devil, and the Tabard, in Southwark, were revived, to supply, in addition to the ordinary refreshments, sack, canary, capons, venison pasties, and other dishes and liqueurs of the Elizabethan era, the attendants being clad in the costume of the period. The band and chorus, of 2000, was conducted by Mr. Benedict.

The Crystal Palace Company made this Saturday a shilling day instead of a half-crown day, as usual. They opened to public view the exact representation of Shakspeare's house, of the same size as the original, modelled by Mr. E. T. Parris, in the central transept, with the Shakspeare Court, which contains models of the bust on his tomb, and of the tombs of his wife and daughter.

*Shakspeare Celebration in Liverpool.*—The Mayor of Liverpool gave a magnificent fancy ball at St. George's Hall, at which 1500 ladies and gentlemen were present, in costumes illustrative of Shakspearean characters or of the Elizabethan period. The next evening the theatres were thrown open at the expense of the Mayor, and a *soirée dansante*, with tableaux illustrative of Shakspearean compositions, took place.

*Shakspeare Celebration forbidden in Paris.*—The English residents in Paris were prohibited by the French Government to carry out their intention of having a Shakspeare dinner at the Grand Hotel. There was but an unsatisfactory explanation of this ungracious act. It appears that in addition to the English banquet, two other celebrations were announced; one a grand theatrical performance at the Porte St. Martin Theatre, and the other a French dinner, also at the Grand Hotel. The former, consisting of "Hamlet," "Falstaff," and "Midsummer Night's Dream," was forbidden by the authorities, in consequence of certain friends of M. Victor Hugo having expressed their intention of converting the representation into a political demonstration in his favour. A similar motive led to the interdiction of the French banquet, at the Grand Hotel, of which M. Victor Hugo was nominated honorary vice-president. Similar reasons induced the authorities to include the English banquet in the same precautionary measure, as there was nothing to prevent any of the persons who had intended making democratic speeches at the French dinner from appearing at the English one, and there saying whatever they pleased. The English, indeed, might have been permitted to dine by themselves, but, having already issued tickets for a public banquet, they preferred to give up the celebration.

26. MELANCHOLY SUICIDE AND POPULAR DEMONSTRATION IN IRELAND.—Sir Thomas Judkin Fitzgerald, the descendant of a

man unhappily notorious in 1798, committed suicide by throwing himself into the river Suir, near his own residence, Golden Hills. It appears that he was severely pressed by pecuniary difficulties. He had been in Dublin the greater part of the previous week, it is supposed with the object of effecting an arrangement with some of his creditors. There he was met by several of his friends, who found him in his usual health and spirits. He returned home, and was in Clonmel on the 25th. It appears that there was an execution then in his house, for a debt of 300*l.*, and the bailiffs were in possession. He made a last effort to raise this amount on that morning, but his solicitor failed to accomplish it, owing to the heavy liabilities under which he laboured. He went home by the train, the next afternoon, having left a letter with his solicitor, stating that he should shortly be no more, and indicating where his body would be found. This gentleman immediately communicated with the office of the constabulary, and a telegram was at once sent, with imperative orders for the instant arrest of Sir Thomas Fitzgerald. But the precaution was, unfortunately, too late. He wrote similar letters to other friends, and among them was the following to Mr. John Massy, justice of the peace:—

“Dublin, April 26, 1864.

“My dear Massy,—I have a last request to make of you, and that is, that you will, on receipt of this, go over to Golden Hills and see poor Lady Fitzgerald, my dearly beloved wife, for before you get this I will be no more. God have mercy upon me and my poor family. . . . I ask this as a dying request, that you will go at once on receipt of this, and see what is best to be done. . . . I go down to-night on purpose to see my poor wife and family for the last time, and then my body will be found in the weir, at that part called the Pig-hole, near Golden Hills. . . . I again ask you, as a favour, not to desert my family till things are set to rights for them. It is the dying request of

“Your friend,

“THOMAS J. FITZGERALD.”

There was also a letter to Mr. Edmond Dalton, of which the following is a copy:—

“Dublin, April 26, 1864.

“Dear Ned,—I am going to ask a favour of you, and that is, that you will get Mrs. Dalton to break the sad news of my death to poor Lady Fitzgerald. I go down this evening, and my poor body will be found in the Suir at Pig-hole, where all the salmon are taken, near where the white-thorn stump is, that was lately cut. The Lord have mercy on me and my poor family! . . . .

“Yours truly,

“THOMAS J. FITZGERALD.”

A coroner's inquest was held, and a verdict given that the deceased committed suicide while in a state of temporary insanity. The populace, it seems, resented this verdict, considering that it ought to have been one of *felo de se*, the object of the act on the part of the deceased having been to escape his obligations to his creditors. Influenced also by an hereditary animosity to the family, which had long been highly unpopular with the peasantry, they determined to oppose the interment of the deceased in the parish churchyard. As the funeral was intended to be strictly private, only a few friends attended the remains to the graveyard of Bally-griffin, within a short distance of Golden Hills, the residence of the deceased. The *cortége* was, however, met at the graveyard gate by the country people, who said they would not allow the remains to be buried. They filled up the grave with stones, and were deaf to all remonstrances, and the body was taken back to Golden Hills. The funeral took place on a subsequent day, in the presence of a large force of constabulary, and the grave was guarded night and day for some time afterwards.

## MAY.

3. EXECUTION FOR MURDER.—This morning, John Devine, convicted of the murder of Joseph Duck, at the Central Criminal Court, was hanged in front of the prison of Newgate, in the presence of some thousands of people. Joseph Duck was a retired builder and scaffolder, and resided in Little Chesterfield-street, Marylebone. He was upwards of sixty years of age, and had lost his wife a few weeks before he himself came to his untimely end. He was in the habit, occasionally, of spending an evening in the King's Head public-house in Great Chesterfield-street, which was in the neighbourhood of his residence, and he was there on the night of the 10th of March last. Towards midnight he was seen standing at the bar of the house, talking with some chance customers who had collected there, and in the course of the conversation he produced two sovereigns, placed them on the counter, and then put them back into his pocket. The convict Devine was one of the company, and at that time was in such a state of destitution that he had not money to pay for a bed, and a few pence were subscribed by the people in the house to procure him one. The deceased was asked to give a copper, but he refused, saying he had before interested himself in obtaining him a place, which he could not keep. The convict hung about the house until towards one o'clock in the morning, when it was closed, and the deceased then left to go home. A few minutes after one, he was found within a hundred yards of the tavern, and four of his own door, by a police constable, with several dreadful injuries about his head. The constable had him



taken to the Marylebone Infirmary, but he never completely recovered his senses, and at six o'clock the same evening he sank and died. On arriving at the infirmary he was suffering partly from intoxication, and partly from concussion of the brain. He had been accustomed to wear a peculiar old-fashioned silver watch, but neither watch nor money was found upon him. He asked particularly for two sovereigns which he said he had. The bottom of the fob of his trousers had been cut away, as had also some part of the lining. A surgical examination disclosed three fractures at the back of the head, one seven inches in length, the second three inches, and the third about two inches, resulting in great effusion of blood. Early on the morning of the murder, Devine presented himself at a common lodging-house in Circus-street, in the neighbourhood, where he was well known, and where he was admitted, after some demur, the house having its full complement of inmates. He had then a watch and a black neckerchief, which he said he had found in Regent-street, and which exactly corresponded with those worn by the deceased on the night of his death. He was also in the possession of money, although he had been starving for some time before, for he sent a lodger in the house out for what to him must have been a sumptuous breakfast, and during that, and the next day or two, he treated the inmates, right and left, to meat and drink. When asked afterwards by the police how he had come by the money he had so spent, he replied that he had earned it by working for a laundress in the neighbourhood, which on inquiry proved to be untrue. He sought to destroy the identity of the watch by taking the works out of it and throwing them down a water-closet, and then battering and defacing the silver cases. These, with the seal which had been attached to the watch, he employed a lodger named Hines to dispose of, and this man afterwards became the principal witness against him on his trial. The evidence, although purely circumstantial, was irresistible, and the jury, after a trial lasting about eight hours, pronounced him guilty, but with a recommendation to mercy, on the ground of their belief that he only intended to rob, and not to murder the deceased. That recommendation was afterwards in due course transmitted to the Home Secretary, but, for reasons assigned, Sir George Grey declined to interpose.

On the sentence being pronounced by Mr. Justice Willes, and for some days afterwards, the convict was prostrated by mental distress, and inconsolable. He was an orphan, and had been so from boyhood. It is said he was a shoemaker by trade, and had at one time gained a precarious living as a shoeblack. Of late years he appears to have led a sort of vagabond life, and to have been often without a place in which to lay his head at nights. He was little more than twenty years of age. For a long time he persisted in asserting his innocence, and it was not until after the sheriffs had told him that the Home Secretary had refused to interfere in his behalf, and that there was then no hope of mercy for

him, that he admitted in effect that his was the hand which had inflicted the mortal injuries on the deceased, but he always accompanied the admission with the statement, that he meant only to rob and not to murder him. Having made this qualified confession, his mind was sensibly relieved, and he calmly prepared himself for death.

The convict walked from his cell with a quick, firm step, and resolute air, and ascended the drop without assistance. His whole bearing betokened complete penitence of mind and resignation. After he had been pinioned, he stated in effect, in reply to questions put by Sheriff Cave, that he had been brought to a happy state of mind, and was prepared to die. He had previously expressed his gratitude for the considerate kindness shown him by the prison authorities, after his conviction, and to the Sheriffs, for retaining counsel to defend him. Once on the drop, the work of the executioner was speedily done, and the convict soon ceased to live.

5. FATAL ACCIDENT AT A RAILWAY STATION.—A shocking accident happened to the Rev. Mr. Hathaway, of Islington. The reverend gentleman was about proceeding to Greenwich by the train, and when it had arrived at the station, he caught hold of the handle of one of the carriages before they had stopped. As too often happens in such instances, the reverend gentleman was thrown off his balance, and precipitated underneath the carriages, four of them passing over him, crushing him in a frightful manner. He was released as soon as possible and conveyed to Guy's Hospital, where he was immediately attended by the house surgeon, who ascertained that both his thighs had been fractured, his left arm broken, and both upper and lower jaws smashed, besides fearful internal injuries. There was no hope of saving his life from the first moment of his admission to the hospital, but every thing was done for him that medical aid could suggest, and about twelve o'clock he died.

9. EXPLOSION OF A RAILWAY ENGINE.—Much alarm was occasioned by the sudden explosion of an engine, at the Bishop's-road station of the Metropolitan (Underground) Railway. It had just come into the station and been attached to the 9.15 train, which was standing at the up platform ready to start. Fortunately, the 9 p.m. train having only a few minutes preceded it, there were few people on the platform at the moment. Both the driver and stoker were on the engine when the accident took place. Fortunately for them, the boiler exploded in an upward direction, with such tremendous force that the dome, which weighed upwards of six hundredweight, was thrown up almost perpendicularly to an immense height. It descended nearly 200 yards from the station, near the Dudley Arms, and on the further side of the bridge which crosses the Grand Junction Canal. As soon as the steam had somewhat cleared away, it was discovered that a very considerable portion of the roof of the station had been blown away; plate-glass windows on both sides of the station, of nearly

half an inch in thickness, as well as those of the carriages, were smashed to atoms, and a portion of the temporary bridge for crossing the station from the up to the down line was demolished. At the moment of the explosion, the down train from Farringdon-street was just entering the station, and the concussion was not only so great as to break some of the windows in the carriages of that train, but to burst the gas-holders on the roofs of the carriages. The shock of the explosion was heard for a considerable distance, and in a few minutes Inspector Durole, and a body of officials of the Great Western Railway, a number of the D division of police, under Inspector Egerton, as well as the officials of the Metropolitan Railway, were on the spot, to render any assistance which might be necessary, in the event of injury to passengers or servants of the company. The fragments of the exploded engine were naturally first examined. The driver and stoker, although stunned for the moment by the shock, were discovered, when the steam cleared off, standing by its side on the platform. The driver was only slightly scalded, but the stoker had received a wound on the top of his head, from which he appeared exceedingly faint. He was at once conveyed to St. Mary's Hospital. Several passengers had already entered some of the carriages, and although the first one adjoining the engine had sustained but little injury, in the second carriage the windows were completely blown in, and one young man was severely cut about the head and face by the broken glass. Several persons had their faces cut by the glass, and were otherwise injured. Those who were more seriously injured, were at once placed in cabs and conveyed to St. Mary's Hospital.

18. ROYAL LITERARY FUND.—The seventy-first anniversary of the establishment of the Royal Literary Fund was celebrated by a banquet at St. James's Hall. An unusual degree of interest was imparted to the proceedings by the presidency of the Prince of Wales.

On the Prince's right sat His Royal Highness the Duke of Cambridge, Earl Russell, the Belgian Minister, the Marquis of Salisbury, Viscount Hardinge, the Bishop of St. David's, Lord Dynevor, Lord Egerton of Tatton, Lord C. Hamilton, Lord Houghton, Sir J. Pakington, and Admiral Sir A. Milne. On his left were Earl Stanhope (president of the institution), the Lord Primate of Ireland, the Duke of St. Alban's, the Marquis of Clanricarde, Earl de Grey and Ripon, the Lord in Waiting, Viscount Sydney, Lord Broughton, Lord Talbot de Malahide, Right Hon. E. Cardwell, Sir C. Phipps, and General Knollys. The general company included a large number of persons eminent in politics and literature.

His Royal Highness the Chairman rose to propose the toast of the evening, amidst loud cheers. He said:—"Your Royal Highness, my Lords, and gentlemen, I have now the honour to propose the most important toast of the evening; it is, 'Prosperity to the Royal Literary Fund.' Although the most important, it is,



nevertheless, the toast upon which, perhaps, I can say least. Certainly I can give you no new information, as every one here present knows better than I do the character of this institution. Still, it is right that I should venture to offer a few remarks on the working of this society. You are all aware, gentlemen, of the immense advantages which have been derived from it in support of literature and science. One of its principal features is, that it is not limited to our own countrymen, but is often extended to literary men of all nations; so that we may feel proud to think, that by our timely assistance we can not only advance the literature of our country, but that of other nations. In this way, many eminent men, who would otherwise be incapacitated from making their talents known to the world, are enabled to do so. The second important feature is the secrecy with which this timely aid is given, a secrecy so sacredly observed that in the number of cases, which amount to 1645, since the foundation of this corporation in the year 1790, there is not a single instance of any indiscretion having been committed; and if cases have been brought to light, it has only been through the acknowledgment of the literary men thus assisted, and who have been anxious to express their gratitude. I ought here to mention the name of a distinguished man of letters, whose loss must be deeply deplored in all literary circles. I allude to Mr. Thackeray. I allude to him not so much on account of his works, for they are standard works, but because he was an active member of your committee, and always ready to open his purse for the relief of literary men struggling with difficulties. Gentlemen, some of those here present do not, perhaps, know that in France, since 1857, an institution similar to ours, and founded by M. Thenard, has been in existence for the benefit of scientific men only, and that a few days ago, M. Champfleury, a distinguished writer, proposed to found a literary society, adopting some of our principles. It is to be hoped that these two societies may be one day amalgamated, and may form sister literary funds; and if administered on our model, I think we may augur for the institution a large measure of success. We shall at all times be most happy to enter into communication with it, and show it the result of our long experience, and of the unwearied zeal and exertion of the officers of this corporation. I will not detain you much longer, gentlemen, but I cannot sit down without bringing back to your recollection, the deep interest which my dear and lamented father took in every thing connected with literature and science, and particularly in the labours of this society. Nobody has forgotten that the second time he spoke in public in this country was as chairman of the Literary Fund dinner, and we all, I am convinced, deeply regret that the speeches made on that occasion were not reported at full length, as every word falling from those lips could not fail to command universal admiration. Gentlemen, let us drink 'Prosperity to the Royal Literary Fund.'" His Royal Highness's speech was received with distinguished applause.

The Prince of Wales delivered several other graceful and appropriate speeches.

The meeting was the most successful, in a pecuniary point of view, ever held, upwards of 2000*l.* having been collected, including 100 guineas from the Queen, and 100 guineas from the Prince of Wales.

24. THE QUEEN'S BIRTHDAY. — The anniversary of Her Majesty's birth was kept this year with all the old outward tokens of state and rejoicing, which had not been observed since the last public celebration of the day before the death of the Prince Consort in 1861. As usual, it was a strict holiday in all Government offices, and in many of the leading firms also. The usual salutes were fired from the Tower and the Park, flags were displayed on all public buildings and down the long tiers of shipping in the river, while from the steeples of the churches of the three Royal parishes of Westminster, Kensington, and St. Martin-in-the-Fields came peals of joy bells both morning and evening. With this revival of the old usages of the day, came another which has not been observed for four years — the customary inspection of the Household troops, or at least such detachments as are stationed in London, on the Parade behind the Horse Guards. As a military display, beyond the mere appearance of the troops, the gathering is not much to speak of, as the extremely limited area of the ground prevents the execution of any manœuvres. As a spectacle, however, it is always very attractive, and is really from this point of view more effective than many displays of far greater pretensions. This year it possessed unusual claims to attention, for, though the number of troops on the ground was not nearly so large as it has often been on similar occasions, the presence of the Prince and Princess of Wales made up for every other deficiency in the eyes of the spectators. The troops, consisting of battalions of the Grenadier and Coldstream Guards, with two squadrons of the Life Guards, were early on the ground. Though few in number, the display was all that could be wished in the movements, equipment, and appearance of the men.

Her Royal Highness the Princess of Wales, accompanied by the Princess Mary of Cambridge and Prince Arthur, and attended by General Knollys, drove from Marlborough House to the Horse Guards soon after ten o'clock, and took her seat in the centre window of the Horse Guards overlooking the Parade. The instant the Princess was recognized she was enthusiastically cheered by the crowds that had assembled to witness the ceremony. The Prince rode from Marlborough House with the Duke of Cambridge. His Royal Highness wore his uniform as colonel of the 10th Hussars, the Duke his uniform as colonel of the Grenadiers. With their Royal Highnesses were Sir Richard Airey, Sir James Scarlett, Colonel the Hon. James Macdonald, and Major Teesdale. The troops were drawn up in saluting line to receive the two illustrious officers; every window which commanded a view of the ceremony was thronged with ladies, and the

whole scene was, on a small scale, as brilliant and effective a military spectacle as one is ever likely to see in London. The troops received their Royal Highnesses with the Royal salute, presenting arms and lowering colours with an instantaneousness of sound and movement which was marvellous in its precision. The usual formal inspection of the line was then gone through, with the trooping of the colours; and while this was being done, the combined bands were brigaded and played a well-chosen selection of marches, &c., in their faultless style. Indeed, throughout the whole ceremony the music never slackened, so that on the whole it may be said to have been quite as much a musical fête as a military display. The ceremony of inspection concluded with the marching past of the Guards at slow and quick time. At both slow and quick time it was absolutely perfect. After the marching past, their Royal Highnesses returned as they had come upon the ground, every where receiving ardent proof of the most affectionate respect.

The Foot Guards, according to ancient custom, marched back to the Court of St. James's Palace, when the bands were again brigaded, and a concert of military music given, which lasted throughout the forenoon.

A kind of floral fête, in honour of Her Majesty's birthday, was given at the Horticultural Gardens, on which occasion they were thrown open at an admission fee of one shilling. The gardens were very much crowded. At night the Ministers' houses, the Clubs, and Government Offices, with the shops of the leading Royal tradesmen, were brilliantly illuminated, and the streets at the West-end were crowded as usual on such occasions.

25. THE DERBY.—The race for the Derby Stakes was run for in the presence of some 150,000 persons, among whom was the Prince of Wales. The following was the programme:—

The Eighty-fifth Derby Stakes of 50 sovs. each, h. ft., for 3-yr.-olds; colts, 8st. 10lb.; fillies, 8st. 5lb.; the second to receive 100 sovs. One mile and a half. 234 subs.

Mr. W. I'Anson's Blair Athol (J. Snowden)	1
Lord Glasgow's General Peel (Aldcroft)	2
Mr. Merry's Scottish Chief (J. Adams)	3
Captain A. Cooper's Knight of Snowden (F. Adams)	4
Mr. Bowes's Baragah (Ashmall)	0
Mr. T. Valentine's Hollyfox (T. French)	0
Lord Glasgow's Strafford (Doyle)	0
Mr. John Day's Master Richard (Deacon)	0
Captain Christie's Warrior (J. Grimshaw)	0
Mr. W. Hudson's Cathedral (Whiteley)	0
Mr. Eastwood's Surat (Buck)	0
Mr. W. G. Craven's Planet (Morgan)	0
Mr. Ten Broeck's Paris (Fordham)	0
Mr. H. Hill's Copenhagen (S. Rogers)	0
Mr. H. Hill's Ackworth (Judd)	0



Mr. E. Brayley's Outlaw (A. Cowley) . . .	0
Mr. Cartwright's Ely (Custance) . . .	0
Lord Westmoreland's Signalman (S. Adams) . .	0
Lord Westmoreland's Birch Broom (J. Goater) .	0
Mr. W. Stewart's Major (H. Grimshaw) . . .	0
Captain J. White's Cambuscan (J. Mann) . . .	0
Sir J. Hawley's Washington (Wells) . . .	0
Mr. Naylor's Apennine (A. French) . . .	0
Mr. Naylor's Coast Guard (Challoner) . . .	0
Mr. Savile's Privateer (E. Sharp) . . .	0
Sir F. Johnstone's Historian (Daley) . . .	0
Mr. Cathcart's Prince Arthur (J. Osborne) . .	0
Mr. T. Robinson's Dormouse (W. Boyce) . . .	0
Mr. Hodgman's Valiant (Perry) . . .	0
Mr. J. B. Starky's Izaak Walton (H. Sopp) . .	0

Betting.—9 to 2 each agst. Scottish Chief and General Peel, 11 to 2 agst. Birch Broom, 7 to 1 agst. Cambuscan, 13 to 1 each agst. Blair Athol and Paris, 15 to 1 agst. Ely, 100 to 6 agst. Coast Guard, 28 to 1 agst. Valiant, 100 to 3 each agst. Baragah and Ackworth, 40 to 1 agst. Strafford, 50 to 1 each agst. Hollyfox and Historian, 1000 to 10 agst. Copenhagen, and 1000 to 5 agst. Washington.

The Race.—The thirty runners were weighed out and their numbers hoisted upon the telegraph board at exactly half-past two o'clock—half an hour before the appointed hour for starting—but, owing to the long delay in clearing the course, it was not until a quarter past three o'clock that the horses neared the post. Then another tedious delay ensued, in which eight false starts occurred, Warrior, Valiant, Cathedral, Birch Broom, Cambuscan, Surat, Master Richard, Planet, and several of the others frequently breaking away. At sixteen minutes to four the flag was dropped to an excellent start, when Historian made play for the first half-mile, followed by Birch Broom, Major, Coast Guard, and General Peel, the latter being on the inside to the mile and a quarter post, where the General took a slight lead, followed by Ely and Baragah; Scottish Chief, lying close up, was fourth, Birch Broom fifth, and Copenhagen next. Major at this time held a good place with Paris, Mr. Naylor's two close up with him. Half-way through the furze, Baragah and Ely both headed General Peel, and so they came down the hill towards Tattenham Corner, where Paris ran into fifth or sixth place, and in the turn into the straight a regular *mêlée* took place with the second and rear division, and they came round in such disorder that it was difficult to tell what were immediately in the rear of the leading lot. General Peel unquestionably got round the turn into the straight best, taking a position next the lower rails, Ely following on his right, and Scottish Chief on the right of Mr. Cartwright's colt, these three being closely followed by Blair Athol, in the General's track, Baragah

on the lower ground, with Cambuscan on his right, coming on next. Approaching the distance, General Peel and Blair Athol drew away, but on arriving at that point Blair Athol headed the General, who had not a struggle left in him when collared, and won, though not without severe punishment, by two lengths; three lengths separated the second and third; and three-quarters of a length divided the third and fourth. Ely came in fifth, Birch Broom sixth, Cambuscan seventh, Baragah and Coast Guard being next, close up. The last lot comprised Warrior, Izaak Walton, Privateer, Master Richard, and Surat. Dormouse walked in with the crowd. The time in which the race was run was 2 min. 43 $\frac{3}{4}$  secs., being a second and a quarter less time than that which was run by his dam, Blink Bonny, and three-quarters of a second longer than the shortest time on record—that of Kettledrum in 1861.

27. THE OAKS.—The other great contest on the Epsom course was decided as follows:—

The Oaks Stakes of 50 sovs. each, h. ft., for 3-yr.-old fillies; 8st. 10lb.; the second received 100 sovs. 1 $\frac{1}{2}$  mile. 188 subs.

Count F. Lagrange's ch. Fille de l'Air (Edwards) .	1
Baron Rothschild's ch. Breeze (Daley) . . . .	2
Baron Rothschild's b. Tomata (J. Osborne) . . . .	3
Mr. F. Rowland's b. Molly Carew (H. Grimshaw) .	4
Lord Glasgow's b. Sister to The Drake (Aldcroft) .	0
Lord Glasgow's br. f. by Young Melbourne (Doyle)	0
Lord Zetland's b. Saragossa (Snowden) . . . .	0
Mr. Ambery's br. Lady de Trafford (T. French) . .	0
Mr. J. Day's ch. Teneriffe (Judd) . . . . .	0
Mr. Golby's br. Madam Walton (J. Nightingall) . .	0
Mr. H. Joice's br. Antoinette (Custance) . . . .	0
Mr. Naylor's br. La Gazza Ladra (Challoner) . . .	0
Mr. Merry's b. Masquerade (Hayward) . . . . .	0
Lord Annesley's ch. Finesse (Ashmall) . . . . .	0
Mr. Barber's br. Cutaway (Fordham) . . . . .	0
Mr. W. Day's b. Sardinia (J. Goater) . . . . .	0
Mr. J. Scott's ch. Tooi Tooi (W. Boyce) . . . . .	0
Sir J. Hawley's b. Merry Wife (Wells) . . . . .	0
Captain Gray's br. Syren (F. Adams) . . . . .	0

Betting.—5 to 2 agst. Fille de l'Air, 5 to 1 agst. Teneriffe, 6 to 1 each agst. Saragossa and Tomata, 11 to 1 agst. Breeze, 12 to 1 agst. Finesse, 100 to 7 agst. Molly Carew, 20 to 1 each agst. Antoinette and Lord Glasgow's two, 25 to 1 each agst. Merry Wife and Madam Walton, 100 to 3 each agst. La Gazza Ladra and Cutaway, 40 to 1 agst. Masquerade, 50 to 1 each agst. Sardinia and Syren, and 1000 to 15 agst. Tooi Tooi.

With a trifling delay they were despatched from the post to one of the fairest starts of the meeting. Lord Glasgow's two, on the far side, were the first away, but after running a few strides they

dropped back, and the lead was taken by Teneriffe, lying in the centre, close up with whom came Fille de l'Air and Lady de Trafford, Tomata being fourth, with her stable companion on her right; Antoinette, Saragossa, Finesse, Molly Carew, and Madam Walton headed the next division, and behind them were Tooi Tooi, Masquerade, Merry Wife, Syren, and Sister to the Drake. Half-way through the furze, Teneriffe was headed by Fille de l'Air, who came on with a clear lead, Lady de Trafford being third, closely followed by Tomata and Breeze, with Antoinette and Saragossa next. In this order they entered the Old Course, and commenced the descent of the hill, half-way down which Saragossa was seen to falter and stumble, something having struck into her heels, and shattered her fetlock. Molly Carew, the Birdcatcher filly, and Finesse, who were following close in her track, were fortunate enough to avoid a serious collision by pulling up, but in so doing they seriously affected whatever chance they might have possessed. The leaders retained their relative positions to the turn into the straight, where Madam Walton, in company with Molly Carew, drew forward, and followed the leaders to the road. Teneriffe was then disposed of, and Lady de Trafford followed the leader to two distances from home, when she also appeared in difficulties. In a stride or two further she was headed by the Baron's two, who came up on the lower ground, Tomata still having the best of Breeze; but at the distance she tired, and left her stable companion and the favourite to finish the race home. Opposite the stand Daley made a vigorous effort to get up, which was frustrated by Edwards, who, dropping his hands, won with great ease by a length; two lengths between the second and third. Molly Carew was fourth, Lady de Trafford fifth, Merry Wife sixth, Tooi Tooi seventh, and La Gazza Ladra next; pulling up immediately in their wake, came Lord Glasgow's pair, Antoinette, Teneriffe, Sardinia, Finesse, and Cutaway; the latter walked in and did not pass the post. Run in 2 min. 49 secs.

28. VOLUNTEER REVIEW IN HYDE-PARK.—This was the fourth annual occasion on which the public exhibition of the great unpaid force has taken place in London, and it was generally admitted to be the most creditable that has yet been witnessed. The total number of men in the three divisions brought upon the ground this year was 21,743, which considerably exceeded the array of any former year. In the absence of Her Majesty on this occasion, the Prince and Princess of Wales afforded the great attraction of their presence; His Royal Highness also taking an active part in the proceedings, as commander of his own brigade. This circumstance, combined with the general popularity of the volunteer force, drew together a very numerous attendance of spectators.

The troops were drawn up in lines of contiguous columns across nearly the whole width of the park. The square piece of ground which had been kept clear for them, extended from Rotten-row, on the extreme right of their line, to the Bayswater-road, near the



Marble Arch, on their extreme left, so that they stood facing towards Park-lane. But even this space was too little to permit of the alignment of all their forces; so that the right wing, near Rotten-row, was obliged to be thrust forward at an angle with the main body. The privileged spectators, who had got tickets, were accommodated with raised seats in the oblong enclosure formed by wooden barriers in front of the centre of the volunteers' line. Here a flagstaff was erected, bearing the Royal standard, which was hoisted at six o'clock, when the Prince and Princess of Wales arrived, amidst a salute of guns fired at the Knightsbridge Barracks. They came from Marlborough House, the Prince on horseback, wearing the uniform of Colonel of the Hon. Artillery Company, which resembles very nearly, as Londoners are aware, the uniform of the Grenadier Guards. His Royal Highness also wore the blue ribbon of the Order of the Garter, and was mounted on a superb chestnut charger. He rode into the park with the Duke of Cambridge, Commander-in-Chief of Her Majesty's forces, who was attired as a Field-Marshal, with the Garter ribbon on his breast; and they were accompanied by Prince Louis of Hesse, the husband of Princess Alice, dressed as a Prussian General of artillery.

As soon as the Royal party arrived at the flagstaff, the volunteers gave the usual salute, and the united bands of the Household Brigade played the National Anthem. The Prince of Wales, accompanied by Prince Louis, and the Duke of Cambridge, rode along the front and rear of the assembled troops, inspecting the different corps with considerable interest, and when he had arrived at the Hon. Artillery Company, His Royal Highness placed himself at the head of the corps of which he is Colonel. The Hon. Artillery Company led off the Prince of Wales's Brigade, with which His Royal Highness marched up to the flagstaff, where the Princess and his sister were seated. The Prince saluted them with his sword in the usual military style, and then took his place by the side of the carriage, where he remained until the whole of the troops had marched past. The three bands of the Household Brigade, with the Artillery and Engineers' bands, were massed opposite the flagstaff, and they played as the different brigades marched by. The Prince's brigade marched by in admirable style. The first battalion of the Hon. Artillery Company was warmly cheered, and Lord Colville and Major Robinson had just reason to be proud of their men. The Oxford University Corps, under Lieutenant-Colonel Bowyer, mustered six full companies strong. The Cambridge men also mustered well, and marched admirably; as did also the Civil Service (Lord Bury), which were included in this brigade.

Then came the cavalry and artillery; then Lord Elcho, with the second brigade, containing the London Scottish; the bands in front struck up the tune "Highland Laddie." The St. George's, under Colonel Lindsay, followed; and the Queen's, in the same

brigade, did quite as well as any of their comrades. The last brigade of the first division, which was under the command of Major-General Eyre, was led by the 1st Surrey, which acquitted itself as became the oldest of the metropolitan corps, excepting the Victoria, and the Hon. Artillery Company. Major Beresford's corps, the 7th Surrey, was also admired for the firmness of its marching. The second division was commanded by Major-General Lord F. Paulet, C.B., and in its first brigade some Kent corps earned much applause. In Lord Donegal's brigade, the London Irish led, and marched past in excellent style. The 3rd City (Working Men's), under Major Richards, earned much applause by their soldierly bearing and appearance, and by their steady marching. The Inns of Court were also applauded.

In the third division, which was under the command of Major-General Rumley, the most notable regiments were the Victoria, the North Middlesex, the West Middlesex, the 1st Manchester, the Robin Hoods, and the 2nd Manchester. The country corps, and especially these three, bore the comparison with their metropolitan brethren very well, and it should be observed that all the country regiments had travelled up by rail in the morning to be present at the review.

During the march past, the Princess of Wales kept her attention fixed upon the regiments, and though the Prince had passed by the Royal carriage without saluting, few of the other mounted officers had the self-denial to follow his example. Their politeness and devotion overcame the strict sense of discipline, and, while there were some notable exceptions, it must be said that the salutes of the field-officers were, on the whole, made, not to the Commander-in-Chief or to the Prince of Wales, but to Her Royal Highness, who frequently expressed her delight at the appearance and bearing of the troops. It was nearly eight o'clock when the review was over, the corps having, as soon as they passed, marched round in order to their original positions, where they remained at the salute when the Royal party moved off the field, amid the cheers of the crowd of spectators.

30. MARRIAGE OF THE COUNT DE PARIS AND PRINCESS ISABELLE D'ORLEANS.—The marriage of Louis Philippe Albert d'Orleans, Count de Paris, eldest grandson of King Louis Philippe, with the Princess Maria Isabelle d'Orleans, eldest daughter of the Duke and Duchess de Montpensier, and niece of the reigning Queen of Spain, was solemnized in the Roman Catholic Chapel at Kingston. The auspicious event was the occasion of a general gala-day in the neighbourhoods of Kingston, Claremont, and Esher. At half-past ten the guests invited to be present at the ceremony arrived at the chapel: among whom were many tried friends of the Orleans family, the principal members of the Corps Diplomatique, Prince Edward of Saxe-Weimar, the Marquis and Marchioness of Clanricarde, Earl and Countess Russell, the Earl St. Germans, and others.

The ceremony was performed by the Right Rev. Dr. Grant,

Catholic Bishop of Southwark, assisted by the Abbés Tourcel and Vasseur, French Chaplains; the Abbé Tuelle, Chaplain to Queen Amélie; M. Pierre Mailly, Canon of Arras; Dr. Berchilli, Spanish Chaplain; and Canon Holdstock.

Groups of beautifully-dressed children strewed a pathway of flowers to the chapel.

The members of the House of Orleans who were present comprised the Prince and Princess de Joinville, the Duke de Nemours, the Duke d'Aumale (the Duchess d'Aumale was prevented from attending by indisposition), Prince Ferdinand of Coburg and Princess Amélie of Coburg, Prince Philippe of Wirtemberg, the Duke Augustus of Saxe-Coburg, Princess Mercedes, the Duke de Guise, Princess Marguerite, the Duke d'Alençon, Princess Blanche, the Count d'Eu, Princess Christine, the Prince de Conde, and Prince Auguste of Coburg.

Shortly before eleven, Queen Marie Amélie, conducted by the Count de Paris, entered the chapel and proceeded to the altar, followed by the bride, conducted by her father, the Duchess de Montpensier, and the Duke and Duchess de Chartres. There were no bridesmaids. The Bishop, who wore his pontifical vestments, read a short *discours*. The service then proceeded according to the ritual of the Roman Catholic Church. At the conclusion of the ceremony the bride and bridegroom retired to the sacristy to sign the register, which was witnessed by the Duke de Montpensier, the Duke de Chartres, and the Spanish Minister. Their Royal Highnesses returned to the chapel, when the Bishop celebrated low mass.

The Royal bridal party then left the chapel, amid enthusiastic cheering, the firing of cannon, and ringing of bells, and proceeded to Claremont. Upon leaving the chapel, the bride was met by a group of young ladies representing the French deputation, one of whom presented to the Countess a bouquet, composed of choice white flowers, which was received most graciously by Her Royal Highness, who, on accepting it, gracefully saluted the young lady.

After the company had reassembled at Claremont, the Count de Paris led his bride to the entrance of the house, where their Royal Highnesses were greeted with enthusiastic demonstrations, in acknowledgment of which the Count said:—"Ladies and Gentlemen,—I thank you, in my wife's name and my own, for your sympathy. Nothing can be more gratifying to me than to see this happy day celebrated by those amongst whom I have spent many years of my youth. The feelings towards us that have grown up during those years to be at last so kindly expressed to-day are the more valuable because I may conceive that they are quite spontaneous. They have been to my family a great comfort during the trials of exile. Therefore you are welcome on the day of a great domestic joy, and I trust that your good wishes will prove for us both a happy omen." This address was greeted with renewed applause, amidst which their Royal Highnesses retired.



At half-past twelve, the Prince and Princess of Wales, accompanied by Prince and Princess Louis of Hesse, arrived at Claremont. The Duke de Nemours, the Prince de Joinville, the Duke d'Aumale, and the Duke de Chartres conducted their illustrious visitors into the reception-room, where they were received and welcomed by the venerable Queen. The Duke and Duchess of Cambridge, Princess Mary, and the Grand Duke and Grand Duchess of Mecklenburg-Strelitz, with the younger members of their family, also arrived. At two o'clock the company proceeded from the reception-room, through the great hall, into a temporary banqueting-room, where a *déjeuner* was prepared. The Prince of Wales led Queen Marie Amélie to her seat, while the Grand Duke of Mecklenburg conducted the Princess of Wales. Queen Marie Amélie sat in the centre, faced by the bride and bridegroom, having on her right the Prince of Wales and Princess Louis of Hesse, and on the left the Grand Duke of Mecklenburg and the Princess of Wales. Before the company present at the *déjeuner* had separated, Queen Marie Amélie rose and proposed a toast to the health of the newly-married Prince and Princess, which was most enthusiastically responded to by all present. The Count de Paris briefly returned thanks.

The bride and bridegroom took their departure in the afternoon for Woodnorton, Worcestershire, the seat of the Duke d'Aumale, where they were to pass a few weeks.

Queen Marie Amélie wore a dress of pale lilac, trimmed with white lace. The bride wore a dress of white silk trimmed with white lace, and a bridal veil. The Princess of Wales wore a dress of pale blush pink; Princess Alice a lilac silk; the Duchess de Montpensier a dress of white and yellow striped silk trimmed with black lace; and Princess Mary of Cambridge a dress of pale salmon-coloured silk.

The bridal presents were magnificent. The Queen, the Prince and Princess of Wales, the Duchess of Cambridge, and many others, were munificent in their gifts. Queen Amélie's gift to the Count de Paris consisted of a white marble presse-papier, containing an exquisite miniature of Her Majesty on ivory, with gilt mounts, made by Leuchars, from the Queen's own designs.

In the evening a ball was given by the Duke and Duchess de Chartres, at their residence, Morgan House, Ham-common. Their Royal Highnesses were honoured with the presence of the Prince and Princess of Wales, the Prince and Princess Louis of Hesse, the Duke of Cambridge, the Grand Duchess of Mecklenburg-Strelitz, Princess Mary of Cambridge, and the greater part of the company present at the wedding, about 300 in number.

## JUNE.

2, 3, 4. VISIT OF THE PRINCE AND PRINCESS OF WALES TO THE UNIVERSITY OF CAMBRIDGE.—On Thursday, the 2nd, a special train of the Great Northern Railway conveyed the Prince and Princess of Wales and the Duke of Cambridge to Hitchin, whence the train was brought on to Cambridge over the Great Eastern Company's line. The Prince and Princess of Wales were attended by the Countess of Morton, Lieut.-Gen. Knollys, Lieut.-Col. Keppel, and Mr. Fisher. The Duke of Cambridge was accompanied by Col. the Hon. James Macdonald. Two minutes before the appointed hour, one o'clock, the special train drew up at the Cambridge platform, and as the illustrious visitors stepped from the carriage, they were received by the Duke of Manchester; and the Cambridge University Corps, who were under the command of Colonel Baker, presented arms. The route to Trinity College, about a mile in length, lay along Hill's-road, turning into Lensfield-road, and thence by Trumpington-street, King's-parade, and Trinity-street, to Trinity College. At the Old Conduit-head, where stands a venerable structure associated with the name of Hobson, the famous carrier and horse-letter of Cambridge, and where a large and prettily-decorated structure had been erected for the accommodation of the Mayor and Town Council, a halt was made for a short time, for the presentation of an address from the Corporate body. The Mayor of Cambridge, Mr. H. H. Harris, stood forward as the first carriage drew up, and led forth his daughter, who had the honour of offering the Princess a magnificent bouquet.

The whole of the route was decorated with flags, evergreens, and banners bearing inscriptions appropriate to the occasion, and throughout their passage the Prince and Princess were heartily greeted. The square of the college was lined with faces anxious to gain something more than a passing glimpse of the Royal visitors. On the south side of the square was a dais, with chairs of state, and here, amid the utmost enthusiasm of undergraduates, and cheers from the Volunteer Corps, who raised their caps aloft upon their rifles, the Prince received an address from the Chancellor, Masters, and Scholars of the University. As soon as the procession, closing with the officers of the Cambridge Town Volunteer Corps, had withdrawn, the University Volunteers, who meanwhile had packed themselves away in the closest column known to military art, advanced in line as to the centre, with both flanks thrown forward in front so as to form, when the word was given to halt and front, a hollow square about the platform. Her Royal Highness in person then proceeded to deliver a very valuable list of prizes. Lieut.-Colonel Baker had the honour of receiving, in the first instance, the challenge cup given by the Prince of Wales;

and Captain Ross (to whom two cups were presented for successive victories), Lieutenant Bazeley, Ensign France, and other members of the corps were similarly presented with prizes won in recent competitions. When the distribution had terminated, the Volunteers took up a new formation and marched past, after which the distinguished party upon the platform re-entered Trinity Lodge, and partook of some refreshment before proceeding to the Senate-house. On the platform of the Senate-house were placed chairs for the Prince and Princess of Wales, the Duke of Cambridge, and other distinguished personages. As is their wont, the undergraduates occupied the time previous to the arrival of the Royal visitors by giving expression to their opinions on public men and current events. Lord Palmerston had not entered the house when his name was first uttered, but soon afterwards his Lordship entered by the doctors' entrance, and as soon as he was recognized, the enthusiasm of the undergraduates and even of other gentlemen present again burst forth, and was continued for some minutes, during which time the noble Premier walked across the platform, and, after bowing repeatedly in acknowledgment of the plaudits by which he was greeted, took a seat by the side of Earl Granville, on the left of the platform, every eye still fixed upon him.

The Princess of Wales entered the Senate-house shortly before three o'clock, accompanied by Colonel the Hon. James Macdonald and Lady Affleck (the wife of the Rev. Dr. Whewell, the Master of Trinity). Her Royal Highness had changed her travelling costume, which was entirely of black, and now, though the robe and bonnet were of that colour, wore a light-coloured mantle. The entire house rose as Her Royal Highness walked to her seat, and cheer upon cheer came, not only from the undergraduates, but from the entire assemblage, during which time Her Royal Highness stood gazing at the novel scene, and gently inclining in acknowledgment of the plaudits. In a few minutes afterwards the Prince of Wales and the Duke of Cambridge arrived, accompanied by Lord Harris. The applause which had greeted His Royal Highness's consort was redoubled as he entered, and for some minutes the building rang again with the shouts uttered from all quarters. Silence was at length restored, and was then broken by some one calling out, "Three cheers for the Queen"—a mark of loyalty which was enthusiastically responded to, and was acknowledged by the Prince of Wales, who rose and bowed repeatedly. Cheers were again given for Denmark, and the name of the Duke of Cambridge was received with great cordiality. "Prussia" and "Austria" were both groaned at with great earnestness, but a cry which immediately succeeded of "Three cheers for the baby"—intended for His Royal Highness Albert Victor of Wales—caused considerable laughter, and drew smiles from His Royal Highness's parents. The Prince of Wales was at this time seated on the right of the Chancellor, with the Princess of



Wales and the Duke of Cambridge, and, as well as the Royal Duke, wore the scarlet robes of a doctor over a general's uniform. The Prince advanced, when his hand was taken by the Public Orator, who presented him to the Chancellor, and the honorary degree was conferred on His Royal Highness in the customary manner, and also on the Duke of Cambridge, Earl Spencer, Lord Harris, Lord Alfred Hervey, and General Knollys. The proceedings closed at four o'clock, when the Prince and Princess of Wales and the Duke of Cambridge returned to the Sovereign's apartments. At half-past six o'clock the Vice-Chancellor (Dr. Cookson) and Mrs. Cookson had the honour of entertaining at dinner in the hall of Peterhouse their Royal Highnesses the Prince and Princess of Wales, His Royal Highness the Duke of Cambridge, and a distinguished company. In the evening there was a performance by the members of the A.D.C., at which their Royal Highnesses were present.

The next day the Prince and Princess of Wales attended King's College Chapel at eleven o'clock, and afterwards proceeded to the Senate-house, when degrees were conferred on the following distinguished persons:—Earl Granville, the Duke of Manchester, Earl Stanhope, the Earl of Carnarvon, Viscount Eversley, Viscount Palmerston, Lord Leigh, Sir E. B. Lytton, Sir Page Wood, Sir C. Eastlake, Dean Stanley, Mr. Beresford Hope, Dr. Watson, Professor Hoffman, and Professor Wheatstone. The ceremony being over, the Royal party took their departure from the house amidst the most vehement cheering, which was taken up by the crowds outside, and continued almost unbroken along the line of route to King's College. Here they partook of luncheon. Upwards of a hundred guests sat down, the Prince of Wales, the Duke of Cambridge, and Lord Palmerston wearing their scarlet gowns. At three o'clock the Prince, the Duke of Cambridge, Lord Palmerston, Earl Granville, Earl of Carnarvon, and Earl Spencer left the banquet-hall, and sauntered slowly across the lawn, accompanied by the Princess and the Duchess of Manchester. The Princess wore a white bonnet and black silk dress. A few minutes afterwards a splendid eight-oared galley, decorated with roses, and the brilliant silk colours of the college to which she belonged flying at her stern, shot from beneath Clare-bridge, and passed in splendid style before the Royal party and hundreds of spectators who lined the route on either side. Then followed another, equally well handled and with its full-dress colours flying. Another and another succeeded, until the whole fourteen boats of the University had passed. After having passed, they returned in the same order, and drew up abreast of the tent, and at a signal they, with beautiful precision, stood up in their boats, and, raising their oars, sent forth peal after peal of cheers. The Royal party then entered their carriages, and proceeded across Clare-bridge to St. John's, to a grand horticultural *fête*. Here a large and fashionable assemblage awaited their arrival. They were heartily

cheered, and after examining the magnificent show, the prizes were delivered to the different competitors.

The duty of entertaining the newly-created Doctors and other distinguished visitors was undertaken by Caius College. About 140 sat down to dinner, and the company included the Duke of Rutland, Duke and Duchess of Manchester, Earl Granville, Marquis Camden, Marquis of Hartington, Lord and Lady Spencer, Lord and Lady Hardwicke, and Lady Agneta Yorke, &c. At half-past seven o'clock a second series of performances was given by the members of the A.D.C., with a success not inferior to that attained on the previous evening; and at ten o'clock the demonstration at Cambridge in honour of their Royal Highnesses culminated in the ball given by Trinity College. With this celebration, the public portion of the visit to Cambridge ended.

Shortly after eleven o'clock on the 4th, the Prince and Princess of Wales, with many members of their suite, escorted by the Duke of Manchester's Mounted Rifles, drove over to Madingley Hall, the residence of Lady King, where the Prince resided during his undergraduate days at Cambridge. Here the Duke of Manchester's corps were put through a series of evolutions before the Royal party. The Prince and Princess and the rest of the party then returned to Magdalene College, and took luncheon with the Master. At the railway-station every preparation was made to receive the Prince and Princess. A special train, to which was attached an elegant saloon carriage built by the Great Eastern Company, moved into the station a little after three o'clock; and at half-past three, distant hurrahs and booming of cannon indicated the approach of the Prince and Princess, and a few minutes afterwards they made their appearance on the platform. They were received with a Royal salute, the band of the volunteers playing the first bar of "God save the Queen." The train then moved out of the station amidst the most vehement cheers and waving of hands and handkerchiefs. The Duke and Duchess of Manchester and the Earl and Lady Spencer accompanied the Royal pair to London.

8. THE OXFORD COMMEMORATION.—The Commemoration of Founders and Benefactors took place, according to annual custom, in the Sheldonian Theatre. Honorary degrees were conferred upon the Archbishop of Armagh, the Earl of Bandon, Lord Overstone, Sir Rowland Hill, M. Thierry, the French historian, Mr. Arthur Helps, and Mr. Cayley. The effect of the ceremonial was considerably marred by an unusual amount of uproar and vociferation from the undergraduates' gallery, which, passing the bounds of license usually indulged in upon these occasions, caused an unseemly interruption of the proceedings of the day, and reduced the speeches and recitations almost to a dumb show. The efforts of the Vice-Chancellor and University authorities to still the tumult were quite unavailing, and were calculated to impress the visitors with a lively sense of the laxity of academical discipline.

9. ASCOT RACES.—THE CUP DAY.—This favourite resort of the sporting and fashionable world received this year additional attraction from the presence of their Royal Highnesses the Prince and Princess of Wales, who arrived on the course shortly after one o'clock. In the first of the carriages sat the Princess of Wales, the Princess Louis of Hesse, and the Grand Duke and Duchess of Mecklenburg-Strelitz. The next contained the Prince of Wales, the Princess Helena, the Duke of Cambridge, and the Princess Mary. In the third were Prince Alfred and Prince Louis of Hesse; and the three following conveyed the ladies and gentlemen in attendance on the Royal party. The Princess of Wales looked remarkably well, and was evidently in excellent spirits. Her Royal Highness was hailed with enthusiastic cheering, to which she responded by repeated bows. The Prince, after a short stay in the Royal Stand, descended into the reserved enclosure, where he entered freely into conversation with the most distinguished patrons of the turf. The great event of the day was decided as follows:—

The GOLD CUP, value 300 sovs., added to a subscription of twenty sovs. each; weight for age, with allowances; about two miles and a half.

Mr. Merry's Scottish Chief, by Lord of the Isles out of Miss Ann, 3 yrs., 7st. 5lb. (H. Covey)	1
Lord St. Vincent's Little Stag, 3 yrs., 7st. 5lb. (J. Grimshaw)	2
Duke of Beaufort's Lord Zetland, 3 yrs., 7st. 5lb. (T. French)	3
Mr. Low's Gibraltar, aged, 9st. 5lb. (Custance)	0
Baron Rothschild's Wingrave, 5 yrs., 9st. 3lb. (Wells)	0
Lord St. Vincent's Lord Clifden, 4 yrs., 8st. 10lb. (J. Osborne)	0
Mr. Savile's The Ranger, 4 yrs., 8st. 10lb. (J. Goater)	0
Mr. Savile's Alabama, 3 yrs., 7st. 5lb. (Morgan)	0
Mr. R. Wales's Molly Carew, 3 yrs., 7st. 2lb. (Zanker)	0

Betting.—7 to 4 agst. Scottish Chief, 3 to 1 agst. Lord Clifden, 5 to 1 each agst. Little Stag and Wingrave, and 6 to 1 agst. The Ranger.

The start was fortunately not delayed, and the moment the flag fell the lot got away simultaneously, Alabama (started to serve The Ranger) pioneering, with Wingrave and Gibraltar next; Little Stag and Scottish Chief, side by side, being fifth; the others close together; Lord Clifden being last of the trio. Upon passing the Royal enclosure Little Stag ran into third place, and, pulling hard, took up the running, Alabama going on



second to the top of the Swinley-hill, where the latter was passed by Wingrave and Gibraltar, and in the bottom Scottish Chief and Lord Zetland also passed Alabama, Molly Carew being last. Half-way across the bottom, Scottish Chief went up to the leaders, and after a while retired behind Wingrave and Gibraltar, who were still in attendance upon Little Stag. At the Brickkiln The Ranger, with Lord Zetland, drew up to the leading division, and, approaching the turn into the straight, Scottish Chief ran between Wingrave and Gibraltar, waiting and pulling double on the outside of Little Stag till they arrived at the distance, where he quitted Lord St. Vincent's horse, and won in a canter by six lengths; Lord Zetland, three lengths behind Little Stag, was third; and fifty yards in the rear of the Duke of Beaufort's horses came Wingrave, The Ranger, and Lord Clifden, the latter of whom trotted in. Alabama, Molly Carew, and Gibraltar walked past the Stand.

— FATAL RAILWAY ACCIDENT.—The enjoyment of the Ascot Races was seriously marred by a calamity attended with disastrous results to several persons returning from that scene of amusement. One of the trains of the South-Western Railway, heavily laden with holiday-makers, ran into another train at the Egham station, destroying two carriages, killing five passengers almost on the spot, and more or less seriously injuring between twenty and twenty-five others. The accident occurred, at about a quarter to eight o'clock, to the train which had left the races a little after seven, and which was followed as soon as safety, as it was thought, permitted, by another train equally long and heavy.

That to which the accident occurred left Ascot soon after seven, and though the line is a particularly difficult one, full of dangerous curves and steep gradients, it arrived at Egham safe shortly before eight o'clock. Tickets were collected there, and while this was going on a complaint was made to the station authorities of some card-sharps being in a carriage. An altercation arose about their removal, which, whether successful or not, was long enough to delay the train two or three minutes more. During this interval the next train from Ascot came up, just as the first was moving off. The inevitable collision was so clearly seen that those in the station called to the passengers in the last carriages to jump from them. The guard was in the break-van, the last of all, and his experienced eye needed no warning as he looked out and saw the next train coming on. He jumped out at once, though not a moment too soon, as the crushed fragments of his van caught his coat skirts and tore them off.

The collision was very violent, owing to the immense weight of the following train. It crushed the guard's van to splinters, crushed a second-class carriage next to it, and partly crushed another beyond. The usual scene of confusion and dismay succeeded. Assistance was at once telegraphed for to London and to Ascot, and the work of succouring those injured instantly

began. There was a horrible scene beneath the ruins of the broken-up second-class carriage. From out of the wreck the bodies of four gentlemen were removed. A fifth died as he was being carried to the bank, and a sixth was so much injured as to make recovery apparently doubtful. About twenty-five other passengers were found to have sustained injuries, such as concussions, dislocations, and broken bones. With the exception of the one above mentioned as believed to be mortally injured, all the persons injured were in the course of the night enabled to come up to town, and either proceeded to their own homes or were taken to the hospitals.

About twenty-five passengers thus came to Waterloo, all more or less alarmed and shaken, many weak and faint, and with their clothes covered with blood. The gentleman whose almost fatal injuries we have mentioned was brought up on a stretcher bed in a guard's van. He was accompanied during the journey by a surgeon, and was removed from Waterloo on a bed placed in a light long chaise which the officials had provided to take him to Charing-cross Hospital. In appearance he was a young gentleman of six or eight and twenty years of age.

Three of the bodies were identified. Mr. Clegg, a licensed victualler, the landlord of the Harp, Jermyn-street; Mr. Coppard, the clerk or confidential agent of Mr. Padwick, the well-known racing man; and a Mr. Winfield, who was not known, except from the direction upon a letter found in his pocket. The bodies were all removed to the Railway Inn, close to the station at Egham. The corpses were not much mutilated, death apparently having arisen from concussion.

An inquest on the bodies of John Coppard, William Winfield, Edwin Hall, Joseph Clegg, and Robert Wilkie, the unfortunate persons who lost their lives in the accident, was held in the reading-room of the Literary and Scientific Institution, Egham, before Mr. Woods, the Coroner for West Surrey. The inquiry, which was adjourned from time to time, was a protracted and searching one. The Superintendent of the South-Western Railway, their Resident Engineer, and other officers and servants were examined, and every thing that could throw light on the causes of the accident was carefully investigated. The Jury found Lee, the driver of the second train, and Trainer, the fireman, guilty of manslaughter; and they censured the London and South-Western Railway Company for not having a turn-table at Ascot, for starting trains five minutes after each other, and for not telegraphing trains from station to station.

20. NAVAL ACTION BETWEEN THE AMERICAN FEDERAL WAR STEAMER THE "KEARSAGE," AND THE CONFEDERATE CRUISER "ALABAMA."—The English steam yacht "Deerhound," belonging to Mr. John Lancaster, of Hindley Hall, Wigan, Lancashire, arrived at Southampton and landed Captain Semmes (commander of the late Confederate steamer "Alabama"), thirteen officers, and twenty-

six men, whom she rescued from drowning after the action off Cherbourg, which resulted in the destruction of the world-renowned "Alabama."

The "Deerhound" is a yacht of 190 tons and 70-horse power, and her owner is a member of the Royal Yacht Squadron at Cowes and of the Royal Mersey Yacht Club. She was built by Messrs. Laird and Son, of Birkenhead, and proof of her fleetness is furnished by the fact that she steamed home from the scene of action at the rate of thirteen knots an hour. On arriving at Cherbourg by railway from Caen, Mr. Lancaster was informed by the captain of his yacht, which was lying in harbour awaiting his arrival, that it was reported that the "Alabama" and the "Kearsage" were going out to fight each other the next morning. Mr. Lancaster, whose wife, niece, and family were also on board his yacht, at once determined to go out and see the combat.

The "Alabama" left Cherbourg harbour about ten o'clock on Sunday morning, the 20th, and the "Kearsage" was then several miles out to seaward, with her steam up ready for action. The French plated ship of war "Couronne" followed the "Alabama" out of harbour and stopped when the vessels were a league off the coast, her object being to see that there was no violation of the law of nations by any fight taking place within the legal distance from land. The combat took place about nine miles from Cherbourg, and the leading facts are stated in the subjoined extract from the log kept on board the "Deerhound":—

"Sunday, June 20, 9 a.m.—Got up steam and proceeded out to Cherbourg harbour. 10.30.—Observed the 'Alabama' steaming out of the harbour towards the Federal steamer 'Kearsage.' 11.10.—The 'Alabama' commenced firing with her starboard battery, the distance between the contending vessels being about one mile. The 'Kearsage' immediately replied with her starboard guns; a very sharp, spirited firing was then kept up, shot sometimes being varied by shells. In manœuvring both vessels made seven complete circles at a distance of from a quarter to half a mile. At 12 a slight intermission was observed in the 'Alabama's' firing, the 'Alabama' making head sail, and shaping her course for the land, distant about nine miles. At 12.30 observed the 'Alabama' to be disabled and in a sinking state. We immediately made towards her, and on passing the 'Kearsage' were requested to assist in saving the 'Alabama's' crew. At 12.50, when within a distance of 200 yards, the 'Alabama' sank. We then lowered our two boats, and, with the assistance of the 'Alabama's' whale boat and dingy, succeeded in saving about forty men, including Captain Semmes and thirteen officers. At 1 p.m. we steered for Southampton."

The "Alabama" commenced the firing, and as it is known that her guns were pointed for a range of 2000 yards, and that the second shot she fired, in about half a minute after the first, went right into the "Kearsage," that may be taken as the real distance between the two ships. The firing became gene-



ral from both vessels at the distance of a little under a mile, and was well sustained on both sides, Mr. Lancaster's impression being that at no time during the action were they less than a quarter of a mile from each other. Seven complete circles were made in the period over which the fight lasted. It was estimated on board the "Deerhound" that the "Alabama" fired in all about 150 rounds, some single guns, and some in broadsides of three or four, and the "Kearsage" about 100, the majority of which were 11-inch shells. The "Alabama's" were principally Blakeley's pivot guns. In the early part of the action the relative firing was about three from the "Alabama" to one from the "Kearsage," but as it progressed the latter gained the advantage, having apparently a much greater power of steam. She appeared to have an advantage over the "Alabama" of about three knots an hour, and steam was seen rushing out of her blowpipe all through the action, while the "Alabama" seemed to have very little steam on.

At length the "Alabama's" rudder was disabled by one of her opponent's heavy shells, and they hoisted sails; but it was soon reported to Captain Semmes by one of his officers that his ship was sinking. With great bravery the guns were kept ported till the muzzles were actually under water, and the last shot from the doomed ship was fired as she was settling down. When her stern was completely under water, Captain Semmes gave orders for the men to save themselves as best they could, and every one jumped into the sea and swam to the boats which had put off to their rescue. Those of them who were wounded were ordered by Captain Semmes to be placed in the "Alabama's" boats and taken on board the "Kearsage," which was as far as possible obeyed.

Captain Semmes and those above-mentioned were saved in the "Deerhound's" boats, and when it was ascertained that the water was clear of every one that had life left, and that no more help could be rendered, the yacht steamed away for Cowes, and thence to Southampton.

The "Kearsage," it was known, had for some time past been in hot pursuit of the "Alabama," which vessel Captain Winslow was determined to follow every where till he overtook his enemy. A short time before she chased and came up with one of the vessels of the Chinese expeditionary force returning to England, and ran alongside with her guns pointed and crew at quarters before she could be convinced of her mistake, for the expeditionary vessel was very like the celebrated Confederate cruiser. The "Kearsage" was then described as likely to prove a formidable overmatch for the "Alabama," having higher steam power and rate of speed, and carrying ten, instead of eight, very heavy 11-inch shell guns—the so-called Columbiads of the American navy. The "Alabama," on the contrary, was stated to have had only two heavy rifled guns and six broadside 32-pounders. The Confederate, too, after her long cruise, was sorely in need of a refit. Part of her copper, it is said, was off, and her bottom was covered with long weeds.

The crew of the "Alabama" comprised in all about 150 when she left Cherbourg. Of these, ten or twelve were killed during the action, and a number were known to be drowned. The remainder were brought home by the "Deerhound," being saved by the boats of the "Kearsage," or some French pilot boats which were in the vicinity. The French war-vessel "Couronne" did not come out beyond three miles. The surgeon of the "Alabama" was an Englishman; he had gone below to dress the wounds of some of the sufferers, and went down with the ship.

The wounded men on board the "Deerhound" were carefully attended to until her arrival at Southampton, when they were taken to the Sailors' Home.

Captain Semmes, and his first-lieutenant, Mr. J. M. Kill, took up their quarters at an hotel, the gallant commander being under the medical care of Dr. Ware, his right hand being slightly splintered by a shell.

When the men came on board the "Deerhound" they had nothing on but their drawers and shirts, having been stripped to fight, and one of the men, with a sailor's devotedness, insisted on seeing his captain, who was then lying in Mr. Lancaster's cabin in a very exhausted state, as he had been entrusted by Captain Semmes with the ship's papers, and to no one else would he give them up. The men were all very anxious about their captain, and were rejoiced to find that he had been saved.

The captain of the forecastle on board the "Alabama," a Norwegian, says that when he was in the water he was hailed by a boat from the "Kearsage," "Come here, old man, and we'll save you;" to which he replied, "Never mind me, I can keep up half an hour yet; look after some who are nearer drowning than I am." He then made away for the "Deerhound," thanking God that he was under English colours.

Throughout the action the "Deerhound" kept about a mile to windward of the combatants, and was enabled to witness the whole of it. The "Kearsage" was burning Newcastle coals, and the "Alabama" Welsh coals, the difference in the smoke (the north country coal yielding so much more) enabling the movements of each ship to be distinctly traced. Mr. Lancaster was of opinion that it was the "Kearsage's" 11-inch shells which gave her the advantage. Both vessels fired well into each other's hull, and the yards and masts were not much damaged. The mainmast of the "Alabama" had been struck by shot, and as the vessel was sinking, broke off and fell into the sea, throwing some men who were in the maintop into the water. Some tremendous gaps were visible in the bulwarks of the "Kearsage," and it was believed that some of her boats were disabled. She appeared to be temporarily plated with iron chains. As far as could be seen, every thing appeared to be well planned and ready on board the "Kearsage" for the action. It was apparent that Captain Semmes intended to fight at a long range, and the fact that the "Kearsage" did not

reply till the two vessels got nearer together, showed that they preferred the short range, and the superior steaming power of the latter enabled this to be accomplished. It is remarkable that no attempt was made by the "Kearsage" to close and board the "Alabama," and when the "Alabama" hoisted sails and made as if for the shore, the "Kearsage" moved away in another direction, as though her rudder or screw was damaged and out of control. Great pluck was shown on both sides during the action. On board the "Alabama" all the hammocks were let loose, and arrangements had been made for sinking her rather than that she should be captured.

As far as was known, not a relic of the "Alabama" came into the possession of her successful rival. When she was sinking, Captain Semmes dropped his own sword into the sea, to prevent the possibility of its getting into their hands, and the gunner made a hole in one of the "Alabama's" boats and sank her for the same reason.

Before leaving the "Deerhound," Captain Semmes presented to Mr. Lancaster's son one of his officers' swords and a pistol, in remembrance of the occurrence and the kind treatment he and his men had received on board the yacht.

The spectacle presented during the combat was described by those who witnessed it from the "Deerhound" as magnificent.

The presence of the "Deerhound" on the scene was a providential circumstance, as in all probability the men saved by her would otherwise have been drowned, and a lamentable addition made to the number of lives lost on the occasion.

The "Kearsage" had about the same number of officers and crew as the "Alabama." The last official American navy list described her as 1031 tons register, and carrying eight guns, being two guns less than the "Tuscarora," to which in all other respects the "Kearsage" is a sister ship.

The "Alabama's" chronometers, specie, and all the bills of ransomed vessels, were saved, having been handed over to a gentleman at Cherbourg before she left that port.

Mr. Mason, the Confederate agent, Captain Bullock, and the Rev. Mr. Tremlett, arrived in the afternoon from London, and proceeded to Kelway's Hotel to meet Captain Semmes.

— PRESENTATION OF COLOURS TO THE HONOURABLE ARTILLERY COMPANY.—The review of this ancient civic force by its Captain-General and Colonel, the Prince of Wales, and the presentation of new colours by the Princess of Wales to the regiment, took place at the head-quarters, in Finsbury. There were about 500 men under arms, consisting of one troop of horse artillery, with two field-pieces, under the command of Captain Jay; a troop of light cavalry, under the command of Lieutenant Kearns; a battalion of infantry, in six companies, commanded by Major Robinson and Major Snell; and a field-battery of four guns, under the command of Captain Blockley, the whole being under the command of Lieu-



tenant-Colonel Lord Colville. As there were some heavy showers of rain, the Prince and Princess arrived, attended by General Knollys and Colonel Keppel, in close carriages ; but before the review had proceeded far, the rain ceased. Besides the people admitted by ticket, thousands saw the manœuvres from the neighbouring windows and housetops. Their Royal Highnesses on arriving were escorted to a spot in front of the saluting-flag, where the Prince alighted and mounted a charger. He wore the uniform of Captain-General of the corps. Behind the Royal party were a number of mounted officers, who had been invited as visitors. The regiment, drawn up in line, with the cavalry and horse artillery on the right and the field battery on the left, received the Prince with a Royal salute. His Royal Highness, attended by the officers of his Staff, then rode slowly along the line, front and rear, inspecting the men and their accoutrements, and, that over, he returned to the saluting-point. A set of handsome new colours, the gift of the wife of Major Robinson, was then formally presented to the regiment by the Princess of Wales, having first been consecrated by the Rev. Thomas Hugo, the Chaplain of the force. The battalion having shouldered arms, Majors Robinson and Snell dismounted, and, raising the colours, which had been piled over the drum, bore them to the carriage of the Princess. Her Royal Highness, laying her hand upon them, expressed the pleasure she felt in presenting them to the regiment, adding that she trusted they would always serve as the emblems of honour, and never be unfurled except in defence of their Queen and country. The colours were then placed in the belts of Ensigns Webb and Fairlie, who received them kneeling. Lord Colville, addressing Her Royal Highness, said they were entrusted to a regiment of brave men, who would defend them with their lives, if need were. The regiment having presented arms, the colours were borne high in air to the front, with a slow and stately march, under an escort, the band playing the National Anthem ; and the time-worn banners which they supplanted, and which were some fifty years old, were carried to the rear to the tune of "Auld Lang Syne." This ceremony having concluded, the battalion broke into open column of companies and marched past the saluting-point, first at slow and then at quick time, followed by the artillery and cavalry, which had been massed in column in the mean time. The battalion then formed three sides of a square, and the Prince with his Staff rode into the centre. His Royal Highness, addressing Lord Colville, said it had afforded him very sincere gratification to see the efficiency which the regiment had attained in all its branches, and the Princess of Wales took a deep interest in the Hon. Artillery Company, as he himself did, remembering that his father before him had commanded the regiment.

30. SPEECH DAY AT HARROW.—This anniversary was celebrated with somewhat more than usual festivity, it having been for some time known that the Prince and Princess of Wales had signified

their intention of honouring the "speeches" with their presence. The Prince and Princess arrived in a carriage and four, shortly after one o'clock, and were received by the Rev. Mr. Butler and the assistant masters on the steps of the school. The Harrow School Volunteers and the local rifle corps were also present as a guard of honour. The Prince and Princess having taken their seats in the centre of the speech room, with Mr. Butler on their right, and the Archbishop of Canterbury on their left, the delivery of the speeches and prize compositions commenced.

As soon as the speeches were concluded, the company began to disperse, and the Prince and Princess, as they came down the steps of the school buildings, were received with deafening cheers, such as are seldom heard except at our public schools. Lord Palmerston was loudly cheered also, as were the Archbishops of Canterbury and York, the Bishops of London, Oxford, and Natal, Lords Brougham, Stanhope, Houghton, Lyttelton, Cardigan, and Spencer, Mr. Beresford Hope, Mr. Estcourt, &c. Luncheon was afterwards served to the numerous guests in the houses of the various masters, Mr. and Mrs. Butler having the honour of entertaining the Prince and Princess, the Archbishops, Bishops, &c. The Royal guests, after inspecting the new library (named after Dr. Vaughan) and the new chapel, took their departure for London.

The prizes were distributed, according to the usual custom on this day, by Mr. Butler.

## JULY.

1. METROPOLITAN HORSE SHOW.—A great exhibition of horses, similar in its character to the Annual Cattle Show, which has for many years been an event of great interest to breeders of stock, took place this year for the first time, at the Agricultural Hall, at Islington, and achieved a decided success. The judges were the Earl of Portsmouth, Col. White, Mr. William Williams, the Hon. Wellington Cotton, Captain Percy Williams, Mr. J. Russell Cookes (Master of the Worcestershire Foxhounds), and Mr. W. F. Knight, M.P., for thorough-bred and half-bred stallions and hunters; Mr. W. F. Knight, M.P., Mr. J. R. Cookes, and Captain John Bastard, for hacks, cobs, and ponies; General Williams (late 1st Life Guards), for chargers; and Captain Thomas Francis, for Arabs and Barbs. These gentlemen, in conjunction with Mr. Sidney, the secretary, and Mr. J. Douglas, the superintendent of the show, entered the ring a few minutes after nine o'clock in the morning, and commenced the duties of judging, which continued throughout the day; but in consequence of the great labour, and the thorough determination to do justice to every

specimen entered for competition, their labours did not terminate till a late hour the next evening, when the whole of the prize horses were paraded to the great gratification, and amidst the applause of one of the most crowded and fashionable gatherings ever assembled within the walls of the Agricultural Hall. During the two days, the Pentonville, Euston, and Marylebone roads presented a continuous stream of carriages and vehicles, at one period extending in one almost unbroken line from the Angel, Islington, to Trinity Church, Marylebone, a distance of nearly two miles.

Up to a late hour hundreds of carriages continued to arrive, and set down and take up at both the entrances, and it was computed that notwithstanding the price of half-a-crown, something like from 15,000 to 20,000 persons passed through the show on the first two days. On the 4th, being the first shilling day, the number of visitors had been greatly augmented, on account of the anticipated visit of the Prince and Princess of Wales. Some thousands of well-dressed ladies were admitted at a shilling each to seats in the grand orchestra, and others to the then unoccupied Royal box at a charge of three shillings, whilst a limited number were admitted to the centre of the ring at an extra charge of half-a-crown.

The expected visit of royalty did not take place till the 5th, when the Prince and Princess of Wales, accompanied by the Prince and Princess Louis of Hesse, the Prince and Princess of Leiningen, and attended by the Countess of Carmarthen and Captain Grey, arrived at the show about a quarter past one o'clock. They were at once conducted to the Royal box, and the programme was gone through by, in the first instance, the parading in the ring of the splendid prize blood horses. The hunters next followed, and during the jumping great excitement prevailed, and the interest of the Royal party was alike manifest at the splendid leaps and, in some instances, perilous positions of both horses and riders. When the Prince and Princess came to the front of the box, they were greeted with several rounds of cheering. The Princess was much interested in the display of Arabs, Barbs, and ladies' horses, and made inquiries as to the price and character of some of them. The Duchess of Beaufort's beautiful pair of black carriage horses excited special attention; and after remaining upwards of an hour, the Royal party, on leaving, were again loudly cheered by the people, not only inside, but by thousands outside the building. It was computed, that this day but little short of from 30,000 to 40,000 persons paid for admission, and on the closing day the numbers were nearly as great. So that it may fairly be assumed that something like 100,000 persons visited the building in the five days.

7. THE SAVOY CHAPEL DESTROYED BY FIRE.—The old Royal Chapel in the precinct of the Savoy was destroyed by fire. The



carelessness of workmen employed that morning about some repairs or alterations of the gas-burners under the organ appears to have been the cause of this disaster. The fire was discovered soon after two o'clock p.m., when no person was in the building; the doors at that time were locked, and before they could be opened the interior of the chapel was filled with a mass of flames, which burst out of the north window and caught the back of a house in the Strand. This house (No. 109), occupied by Mr. Finney, tailor, with the *Press* office, which adjoins it, were the only private houses much damaged.

The Savoy Chapel was one of the most interesting monuments of historical antiquity in London. It was built, in 1505, of squared stone and boulders, with a low bell-tower and large Tudor windows; and, standing in a small burial-ground, amid a few trees and evergreens, it resembled the church of a rural hamlet. It was all that remained of the Hospital of St. John the Baptist, built upon the site of the palace of Peter de Savoy, magnificently rebuilt by Henry, first Duke of Lancaster. Thither John, King of France, was brought prisoner from Poitiers by Edward the Black Prince; and there, in his "antient prison," King John died, five hundred years ago, April 8, 1364. The Savoy was burnt by Wat Tyler's rebels, and lay in ruins until 1505, when Henry VII. commenced erecting St. John's Hospital, "to receive and lodge nightly one hundred poor folks." The buildings were completed by Henry VIII. The chapel was originally dedicated to the Saviour, the Virgin, and St. John the Baptist; but, when the old church of St. Mary-le-Strand was destroyed by the Protector Somerset, the parishioners united themselves to the precinct of the Savoy, and the chapel, being used as their church, acquired the name of St. Mary-le-Savoy; though before the householders beyond the precinct were permitted to use it as their parish church, they signed an instrument renouncing all claim to any right or property in the chapel itself. There is a tradition that when the Liturgy in the vernacular tongue was restored by Queen Elizabeth, the chapel of the Savoy was the first place in which the service was performed. It was in this chapel also that the memorable conference between the Episcopalian and Presbyterian divines on the Book of Common Prayer was held in 1661. Here many of the bishops were consecrated, and among them Wilson, Bishop of Sodor and Man, by Archbishop Sharpe, in 1698; and among those who have held the benefice was Dr. Anthony Horneck, the favourite chaplain of King William III. The chapel possessed the privilege of sanctuary, and contemporary with the Fleet and Mayfair marriages, the Savoy carried on a like strange traffic. Several persons of note are buried here, and had figure monuments. Among them was one, in the chancel, of Sir Robert Douglas and his lady (seventeenth century). In a pointed niche was the figure of a lady kneeling—Jocosa, daughter of Sir Alan Apsley, Lieutenant of the Tower, sister of Mrs. Hutchinson. In

the western wall, near the altarpiece, was an ornamented recess, in the back of which had been effigies incised in brass; and near this was a small tablet to the memory of Anne Killigrew (1685), daughter of one of the Masters of the Savoy, and niece to the well-known jester. This was the lady described by Dryden as "a Grace for Beauty and a Muse for Wit." Over the door was a small kneeling figure, with a skull in her hands, inscribed "Alicia Steward" (d. 1572). A recumbent figure has been, it is thought, improperly named the Countess Dowager of Nottingham. Here, also, is a brass over the grave of Gawin Douglas, who translated Virgil; of George Wither, the poet, without a monument; the Earl of Feversham, who commanded King James II.'s troops at the Battle of Sedgmoor; and Dr. Cameron, the last person who suffered for the Rebellion of 1745, to whom was erected a marble relief tablet, by his great-grandson, in 1846, "one hundred years after the Battle of Culloden." Here also was placed a tablet to the memory of Richard Lander, the traveller in Africa; and in the burial-ground is the tomb of Hilton, the historical painter. The Hospital was finally dissolved in 1702. The Savoy was used as barracks and a prison for deserters until 1819, when the premises were taken down to form the approach to Waterloo-bridge. We see the river front of the Savoy in Hollar's prints and Canaletti's pictures; and Vertue's ground-plan shows the Middle Savoy Gate, where Savoy-street now is; and the Little Savoy Gate, where now are Savoy-steps. The first manufactory of flint-glass in England was established in the Savoy House, in 1552; and here were also the Thames and Savoy companies, three centuries later. The chapel is a parochial benefice in the gift of Her Majesty, in right of her duchy of Lancaster; it was endowed by Henry VII., and the incumbent to this day receives an annual fee by Royal warrant. The interior dimensions of the chapel were 90ft. by 24ft. Its style was English Perpendicular, late and plain, except the ceiling, which was rich and coloured. This was entirely destroyed, and thus was lost one of the finest pieces of carved work in the metropolis.

It was wholly of oak and pear-tree, and divided into 138 quatrefoil panels, each enriched with a carved ornament, sacred or historical. The panels numbered twenty-three in the length of the chapel and six in its width. Ten of the ranges had each a shield in the centre, presenting in high relief some feature or emblem of the passion and death of the Saviour, and all devised and arranged in a style of which there are many examples in sacred edifices of the fifteenth and sixteenth centuries. The panels throughout the rest of the ceiling contained bearings or badges indicating the various families from which the Royal lineage was derived, and more particularly the alliances of the House of Lancaster, each panel being surrounded by a wreath richly blazoned and tinted with the livery colours of the different families.

When the edifice was repaired, at the expense of Queen Vic-

toria, in 1843, this fine ceiling was restored and emblazoned by Willement, by whom it has been minutely illustrated. At the same time Mr. Willement re-glazed the altar window, which is entirely destroyed. In the lower centre was a figure of St. John the Baptist; the side compartments contained emblems of the other Evangelists; and in other parts were the ducal coronet, the red rose of Lancaster, and the lions, also fleurs-de-lis of the Plantagenet escutcheon, and over all the inscription—"This window was glazed at the expense of the congregation, in honour of God, and in gratitude to our Queen Victoria." The altar-screen, said to have been the work of Sir Reginald Bray, has also been destroyed: it was restored by Mr. Sidney Smirke in 1843. The chapel was repaired in 1721, at the charge of George I., when the burial-ground was walled in. Little was left after the fire except the bare roofless walls, some mural fragments, and the triple flight of steps (Savoy-steps) of the once-famous Savoy House. The pulling down of the ruins, in 1816, when the chapel was left isolated, was a work of immense labour, so massive was the masonry.

The Earl of Clarendon, as Chancellor of the Duchy of Lancaster, informed the authorities that Her Majesty the Queen would take upon herself the cost of restoring the fabric; and Mr. Sidney Smirke, the architect, made a careful inspection of the ruins with that view. He expressed an opinion that the four walls which remained were not seriously injured, and might be made available in the work of restoration. These walls, built of squared stone and boulder, are, upon an average, four feet thick, and must be at least 350 years old. The fabric was insured to the amount of 4000*l*.

8. CRICKET.—HARROW *v.* ETON.—On the two days of this match the interest excited was very great. On the first day the spectators amounted to upwards of 10,000, the number of carriages being truly wonderful. The roping and staking of the ground proved a great success, and at no time was the playing boundary trenched upon. In carrying out the arrangements, the Marylebone Cricket Club had the valuable aid of Superintendent Walker, of the A division, assisted by Inspectors Bradstock, Eccles, Denning, and Kittle, who, with fifty men of the same division, did their duty in such a manner as gave general satisfaction. On the second morning Eton, with four wickets down in their second innings for 74 runs, continued it, and finished it for 113, the play lasting only an hour, it being over at half-past twelve. The Harrow boys won in one innings, with 66 runs over, and their victory was hailed with loud cheers from their partisans, who, in accordance with the usual custom, carried some of the players on their shoulders round the ground.

— THE THAMES EMBANKMENT.—The foundation of this great metropolitan improvement was commenced, with some ceremony of inauguration. The portion of the work of which the first begin-



ning was thus made will extend from Westminster-bridge to Blackfriars-bridge, and will be continued by a new street to the Mansion House. It will be of immense strength, and its top will be ornamented by mouldings, and here and there by decorative pedestals. The part of the embankment from the Temple-gardens to Blackfriars-bridge is to be constructed on another plan than the rest of the work, in order to provide an access to the wharfs on this part of the river. The foundation-stone of the embankment was laid by Mr. Thwaites, the chairman of the Metropolitan Board of Works, in an excavation of the bed of the Thames near the Charing-cross Railway-bridge at Hungerford. This excavation, protected against the invasion of water by coffer-dams and a new form of caisson, showed at once the mode of construction adopted by the contractor, Mr. Furness. The caissons protecting the front wall are of an oval form, presenting a larger area than round ones to the rush of the water. The lower layer of the caissons, filled with concrete, is to remain in place up to low water-mark for the permanent protection of the foundations. When the wall is finished, the area of the river bed being greatly reduced, the scour of the water will be so greatly increased that no muddy banks can possibly be formed. This will complete the measures already taken for the purification of the river, in which we might expect some day to be able to fish for salmon from our door-steps, if the water were not constantly disturbed by the largest aquatic traffic in the world.

9. MURDER OF MR. BRIGGS IN A RAILWAY CARRIAGE ON THE NORTH LONDON RAILWAY.—An event took place which excited an extraordinary sensation of surprise and alarm in the public mind, and continued for several months, until the offender was brought to justice, to form the subject of discussion and interest.

Mr. Thomas Briggs, chief clerk in the bank of Messrs. Robarts and Co., of Lombard-street, was murderously assailed, plundered, and thrown out of the train.

The unfortunate gentleman was upwards of sixty years of age. He was a fine, tall, hale man, and resided at No. 5, Clapton-square, near Hackney Church. On the afternoon of the 9th, about three o'clock, he left the bank for the day, and proceeded to his niece's residence in Nelson-square, Peckham, where he dined. There he remained until half-past eight o'clock, and was seen into an omnibus in the Old Kent-road by the husband of his niece, a Mr. Buckham, and he then appeared in his usual good health and spirits. Before parting with his relative, he intimated that he should proceed to the City, and then take the train from Fenchurch-street station for Hackney. He was almost a daily traveller on the line, and was well known to the railway servants. From the time of his getting into the omnibus in the Old Kent-road until his body was discovered on the line of the North London Railway, between Old Ford-bridge and Hackney-wick station, nothing more was known of his movements.

The outrage was discovered about a quarter or twenty minutes past ten o'clock on the same evening. On the arrival at Hackney of the 9.45 train from Fenchurch-street station, a gentleman called the attention of the guard to the state of a compartment of a first-class carriage, No. 69, in the train. He had opened the door with the intention of getting in, and had placed his hand on one of the cushions, which he found to be covered with blood. The guard on looking in found such to be the fact. Not only the cushions, but the floor, sides, and windows were besmeared with blood; in some places there was quite a pool. He also found inside the carriage a gentleman's hat, a walking-stick, and a small leathern bag. The guard at once took charge of the articles and locked the door.

Almost at the same moment that this discovery was made, the driver and stoker of an engine which had been working the Hackney-wick and Stratford traffic were returning from the Wick station to the Bow locomotive works of the North London Railway, and as they were approaching the railway-bridge over Duckett's canal, by the side of the Mitford Arms Tavern, which parts the Tower Hamlets Volunteer parade-ground in Victoria-park, they saw something lying on the six-foot way, the space between the up and down line. The stoker, Brinckley, got down and went back along the line with a lamp, and on coming up to the spot, discovered it to be the body of a gentleman, saturated with blood and apparently dead. The stoker instantly hailed the driver, and ran down the embankment into the Mitford Arms public-house. Several persons in the house, with the landlord, at once returned with the stoker up to the line, and steps were immediately taken to remove the unfortunate gentleman to the adjacent tavern, but in doing so the men who were assisting in the melancholy task nearly lost their lives by a passing down-train. When the body was taken to the tavern and laid on a couch, suspicions were at once aroused, for the head seemed to have been battered in by some sharp instrument. The clothes were covered with blood, and the broken link or hook of a watch-chain hung to a button-hole of his waistcoat. The watch and the other part of the chain not being found led to the supposition that there had been foul play. The landlord immediately gave information to the police, and sent for medical assistance. The surgeons at once proceeded to examine the wounded gentleman. He was quite insensible. On the left side of the head, just over the ear, which was torn away, was found a deep wound; the skull was fractured and the bone driven in. On the base of the skull there were four or five lacerated wounds; there were more blows on other parts of the head, and the medical gentlemen expressed their surprise that the unfortunate sufferer should be alive. Stimulants were applied with a view of restoring consciousness, but to no purpose. In the breast-coat pocket of the wounded man was found a bundle of letters addressed "T. Briggs, Esq., Messrs. Roberts and Co.'s, Lombard-street." A messenger

was immediately despatched to the bank to learn where the gentleman named in the address lived. In his trowsers pocket was found 4*l.* 10*s.* in gold and silver, and a silver snuff-box in his coat pocket. The police inspector at once despatched an officer to the address given by the people at the bank—No. 5, Clapton-square, Hackney—who broke the melancholy intelligence to the son of the unfortunate gentleman. Mr. Briggs, jun., with some other members of the family and Mr. Toulmin, the family doctor, proceeded to the Mitford Arms Tavern, and at once put an end to all doubt as to who the unfortunate sufferer was. The medical gentlemen remained in attendance nearly the whole night, and in the course of the morning the sufferer was removed in a litter from the tavern to Clapton-square.

Through Mr. Briggs, jun., the police ascertained that when his father left home on Saturday morning he wore a gold watch with an Albert chain, and a gold eyeglass attached to a hair guard. On examining the waistcoat it was seen that a watch had been torn from the waistcoat pocket, and the chain had been broken short off the link or hook, which still held to the waistcoat pocket. The gold glasses were also missing, and subsequently Mr. Briggs, jun., identified the stick and bag which were found in the compartment as those belonging to his father.

The police having obtained some description of the watch and gold glasses and forwarded it by route to all the police-stations in the metropolis, with the facts of the outrage, they proceeded to examine minutely the carriage in which the murder was committed. The carriage had three first-class compartments. On opening the door of the compartment, the interior was found to be besmeared in all directions with blood, with clotted pools on the cushions and on the floor. There was ample evidence of a deadly struggle having taken place. The unfortunate man, it will be remembered, was found in the six-foot way. On inspecting the outside of the carriage, which would be the off-side of a train going to Camden, the body of the carriage was seen to be besmeared with blood, as if it had been spurted on as the train flew by. The window was down, and on the brass handles was the mark of a bloody hand, leading to a belief that the door had been opened to throw the body out on to the line, and then closed. On the step beneath the door was found a portion of the hair guard attached to the missing gold glasses, and on the floor of the compartment was discovered one of the broken links of the watch-chain.

It is certain that Mr. Briggs must have been lying on the line at least twenty minutes before he was discovered. The train in which he was left Bow at two minutes past ten, and in another two or three minutes the deed must have been perpetrated, for the train was due at the next station, Hackney-wick, five minutes after leaving Bow. An up-train passed the spot about ten minutes afterwards, and saw nothing.

About twelve o'clock the next night Mr. Briggs expired.



A very important clue to the discovery of the author of the crime was afforded by the hat left in the carriage, which was at once perceived by the son of deceased to be not that of his father. It bore the name of the maker—Mr. Walker, of Crawford-street, Marylebone—and was stained with blood. Another important fact was shortly afterwards brought to light. The chain belonging to the late Mr. Briggs was traced to a silversmith—Mr. Death, of Cheapside—where it had been exchanged for another one the day before by a man having the appearance of a foreigner.

The *post-mortem* examination of the body was made the next day. From the size and shape of the wounds on the head they appeared to have been inflicted by a life-preserver, and the deep incised wound over the ear might have been caused by the two-edged dagger with which many of those instruments are provided. The blow on the ear was a most severe one, dividing the lobe and crushing it fearfully. The stab above the ear must have entered the base of the brain at least three inches. The other wounds were also most severe, and the medical men in attendance expressed their surprise that the deceased lived so long after the infliction of such injuries. Bills were posted all over the metropolis offering a reward of 100*l.* for the discovery of the murderer on the part of the Government, and a further reward of 100*l.* from the deceased gentleman's late employers, Messrs. Robarts and Co. The railway company also offered a reward.

On the 18th, a cabman named Jonathan Matthews, of Earl-street, Lisson-grove, attended at the Harrow police-station and made a statement, which he subsequently repeated to the magistrate at Bow-street. He said, for some months past Franz Müller, a native of Cologne, lodged at his house, but had left it some days ago. Nine months before, Müller paid his addresses to his (Matthews's) sister, and he gave her his photograph. But subsequently their attachment was brought to a close by his jealous temper. Some days before he left, he gave his (Matthews's) daughter a small card paper-box used by jewellers. In the box were the name and address of Mr. Death, jeweller, 55, Cheapside. Matthews and a policeman went to Mr. Death, who recognized the box as one of those which he used, and the photograph as that of the person who had exchanged the gold chain, identified as having belonged to the deceased. Matthews further said that in November last Müller admired a hat which witness wore, and which he had bought from a Mr. Walker, of Crawford-street, hatter. Witness, at his request, bought a hat for him at Mr. Walker's. (Matthews identified this hat as being the hat found in the railway carriage after the murder.) On the Monday after the murder he came to his (Matthews's) house, and showed his (Matthews's) wife a gold chain, for which he said he paid 3*l.* 10*s.*, and he fixed it on his watch. He also exhibited a ring, which was similar to that described by Mr. Death. He then said a cart had passed near his foot and sprained his ankle. He added, "I am

going to Canada, be sure you see Jonathan (meaning witness), and tell him not to go out to-morrow till I come," but witness never saw him since. After this communication, witness and two officers went to 16, Park-terrace, Old Ford, Bow, occupied by Mr. Blyth, a warehouseman in the City, where Müller lodged after he left witness's house, and the officers questioned a German lodger named Goodwin, who said that Müller came home on the night of the murder at eleven o'clock, and appeared very much confused. Mr. Blyth, the landlord, gave Inspector Steer a letter from Müller, posted at Worthing on the 16th instant, which the pilot of the ship "Victoria" had brought. That letter was addressed to Goodwin, bidding him farewell, and saying that he (Müller) would never see England's shores again.

Upon receiving the information given by Matthews, Inspector Tanner obtained a warrant for the apprehension of Müller, and on the next day he, Sergeant Clarke, Mr. Death, and the cabman, started from Euston-square to Liverpool, for New York. They sailed from Liverpool in the "City of Manchester" steamer. It was expected that this vessel would arrive at New York four days before the "Victoria".<sup>1</sup>

11. DESTRUCTION OF MR. COXWELL'S BALLOON BY A MOB.—Leicester was the scene of a disgraceful riot, on the occasion of the Foresters' *fête* on the racecourse. Among the entertainments provided, Mr. Coxwell was to ascend in his balloon at 5.30. The arrangements for the keeping of the ground, however, were so bad as to preclude the possibility of Mr. Coxwell making his necessary, and of course most important, arrangements. The temporary barriers round the balloon were broken down soon after two p.m., and the dense mob rushed in, surrounding the balloon, and setting Mr. Coxwell at defiance. But five of the police force were present, and their efforts were fruitless and feeble in the extreme. Mr. Coxwell had a large party about to ascend with him, and they had to fight their way to the car. Mr. Coxwell sent to the committee for assistance at least a dozen times to no purpose. He wanted carpenters to remove the boarding, but they were not provided. His position was difficult in the greatest degree. He, however, made an effort, but the crowd clung to the netting, and ultimately broke it. He got from the enclosure, still held by the crowd. He could get no clearance; one of the anchors or grapples was dragging persons to the ground, the car became partly detached from the balloon, when Mr. Coxwell opened the valve and allowed the gas to escape. As soon as the mob perceived this, they rushed to the balloon on all sides, clinging, tearing, and trampling, and then some brutal persons seized upon Mr. Coxwell, knocked his cap from his head, tore his coat from skirt to collar, and hustled him in every direction. Amidst the threats and savage outcries of the mob he was

<sup>1</sup> See "Chronicle" for August and September, *post*; also the Trial of Müller for Murder, in the "Remarkable Trials."

conveyed to the residence of Mr. Stone, the town clerk. The police were embarrassed and in helpless confusion. The mob proceeded to vent their fury upon the balloon. They made a bonfire of the car, paraded the hoop, which would not burn, through the streets, and tore the balloon itself to shreds, selling the pieces at various prices.

The whole mischief, as it appeared, might have been prevented had proper arrangements been adopted, by the erection of sufficient barriers and the attendance of an adequate police force.

— ANNUAL MEETING OF THE NATIONAL RIFLE ASSOCIATION.— The fourth annual meeting of this Association commenced at Wimbledon, under very favourable auspices.

About four o'clock the Prince of Wales made his appearance to inspect the arrangements. His Royal Highness was attended by Captain Grey, and was received on his arrival by Earl Grosvenor, Lord Elcho, and Captain St. John Mildmay, the secretary of the National Rifle Association. After passing round and inspecting the various shooting points and targets, having reached the shooting point commanding the popular moving target known as the Running Deer, the Prince entered into a competition with Lord Elcho, Earl Grosvenor, and the Master of Lovat, and although the shooting was generally very good, the only bull's-eye made on the chest of the deer was made by the Prince. After shooting, His Royal Highness inspected the tents and the encampment, and expressed his high appreciation of the general arrangements. His Royal Highness then took a ride on the tramway. The only lady present was Lady Elcho. On the return of the car His Royal Highness mounted his horse and rode away amidst loud applause.

The active business of the meeting commenced on the next day, and was continued till the 22nd. The principal contests were the following:—

The Middlesex Bronze Medal, at ranges of 200, 500, and 600 yards, the first five scores being entitled to 5*l.* each:—Lieutenant D. Hopkins, 41st Middlesex (winner), 42; Sergeant J. H. Robinson, 16th Middlesex, 40; Private W. Michie, 15th Middlesex, 38; Private Seymour, 22nd Middlesex, 38; Corporal Smart, 23rd Middlesex, 38.

The Oxford and Cambridge Bronze Medal was won by Ensign R. Thompson, 3rd Cambridgeshire (University), with a total of 44, Captain Edward Ross coming next, with 42 marks. The ranges were 200, 500, and 600 yards, and the highest score on the side of Oxford was 34 marks.

The All Comers' County Match, ten men from each county, with seven shots each, at 900 yards. Four counties entered, viz. Lancashire, Middlesex, Gloucestershire, and, for the first time, Derbyshire. Lancashire, who won last year, were again the victors. The following was the result of the shooting:—Lancashire 495, Middlesex 482, Gloucestershire 480, and Derbyshire 425.



The Duke of Cambridge's prize for breech-loaders was won by Captain Edward Ross, Cambridge University, who gained 36 out of a possible score of 40 marks. The same gentleman was declared the winner of the long-range match, with the telescope, five shots, each at 1000 yards, with rifles not exceeding 10lbs. Captain Ross made four bulls'-eyes and a centre, making 19 marks, being only one short of the possible score. The match between eleven picked men of the London Scottish and 1st Edinburgh was won by the latter, making 367 against 343.

For the Enfield Association Cup, of the value of 50*l.*, Sergeant H. M. Aldridge, of the 4th Dorset, was declared the winner with 35 points.

The contests for the *Saturday Review* and Count de Gendres prizes, volley-firing at 400 yards, ten men each, produced the following result:—2nd Stafford 144, first prize; 1st Surrey 142, second prize; 19th Middlesex 140, third prize. The 1st Warwick, 47th Lancashire, and 8th Lancashire, tied with 134 each for the fourth prize.

County matches, ten competitors, five rounds, at 200 and 500 yards:—Staffordshire 273, Gloucestershire 266, Middlesex 266, Norfolk 262, Lancashire 257, Warwickshire 256, Midlothian 255, Worcestershire 249, Wiltshire 247, Kent 253, Herefordshire 251, Nottinghamshire 240, Berkshire 233. Derbyshire having made 128 at the first range, retired.

Some of the most interesting contests were decided on the 18th, the match between the members of the two Houses of Parliament being the first in the day's programme.

The Prince and Princess of Wales arrived on the ground about half-past three; they were received and conducted to the Royal tent by Lords Elcho and Grosvenor. The company in the tent included Lady Constance Grosvenor, Lady Ducie, the Marchioness of Carmarthen, the Marchioness of Abercorn, Lady Elcho, &c. The match between the Lords and Commons was, as might be expected, the great centre of attraction; it was pretty well known that the *corps* of the Commons was not so strong as last year, whilst that of the Lords had been improved by the weeding out of two or three doubtful shots, and replacing them with others from whom good average scores were to be expected. The Commons also laboured under the disadvantage of having the attention of some of their best men, Lords Elcho, Bury, and Grosvenor, diverted by the responsibility attending their active share in the management of the meeting. The Lords, therefore, from the outset, had all *prestige* in their favour, and began in a style which augured well for their ultimate success. Last year the Commons won with a score of 460, the Lords making 423. This year the Lords made 468, and the Commons 428, the former beating their competitors at both ranges. The positions chosen were the lying down, and various modifications of the deer-stalking, or sitting position, the Earl of

Aberdeen, however, taking the Hythe kneeling position. The following were the names and the scores of the competitors, the Lords winning by 40 points:—

## LORDS AND COMMONS.

LORDS.				COMMONS.			
	200	500	Total.		200	500	Total.
	yds.	yds.			yds.	yds.	
Marquis of Abercorn . . . .	22	25	47	Lord Bury . . . . .	26	26	52
Earl of Aberdeen . . . . .	24	22	46	Lord Grosvenor . . . . .	21	18	39
Earl of Airlie . . . . .	18	21	39	Hon. Capt. Wyndham . . . .	13	11	24
Lord Bolton . . . . .	26	18	44	Mr. Talbot . . . . .	23	11	34
Lord Dufferin . . . . .	26	17	43	Mr. Forster . . . . .	20	21	41
Earl Spencer . . . . .	26	20	46	Mr. Duncombe . . . . .	20	14	34
Earl of Ducie . . . . .	27	26	53	Lord Elcho . . . . .	24	25	49
Earl of Eldon . . . . .	24	20	44	Mr. Dillwyn . . . . .	19	15	34
Viscount Lismore . . . . .	22	14	36	Mr. Vivian . . . . .	23	20	43
Lord Suffield . . . . .	11	14	25	Mr. Malcolm . . . . .	21	20	41
Lord Vernon . . . . .	23	22	45	Mr. Humberston . . . . .	18	19	37
	249	219	468		228	200	428

The Prince and Princess of Wales at the conclusion of the match returned to the Cottage, where they remained the guests of Lady Elcho until seven o'clock, when they departed, amidst the usual demonstrations of respect from the large assembly on the ground.

The next most interesting match of the day was the International Enfield Match, between twenty picked gentlemen on each side, representing England and Scotland, as being the standard to which hereafter Enfield shooting will be referred, in the same way that the Elcho Challenge Shield competition is regarded with reference to small-bore shooting. The conditions of the match were seven shots at 200, 500, and 600 yards. The competitors shoot in four squads of ten each at the same butt, and therefore with precisely the same advantages or disadvantages. The English twenty made 381 at 200, 360 at 500, and 275 at 600 yards, or a total of 1016; the Scottish twenty, at 200 yards 393, at 500 yards 301, and 600 yards 269—total 963. Majority of marks for the English side, 53.

Probably next in point of interest was the competition for the Chancellors' Challenge Plate, value 100*l.*, given by the Duke of Devonshire and the Earl of Derby, for competition between eight members of the Oxford and Cambridge University Corps, seven rounds at 200, 500, and 600 yards. Last year Cambridge made 402, Oxford 329. This year the gap between the two was lessened by Oxford, the scores being—Cambridge at 200 yards 161, at 500 yards 124, at 600 yards 130—total 415; Oxford at 200 yards 145, at 500 yards 115, at 600 yards 11—total 371. Majority for Cambridge, 44.

The St. George's Challenge Vase Match was brought to a close, and the vase was inspected by the Prince and Princess of Wales, who expressed their admiration. Last year Mr. Jopling won

the Vase, and the South Middlesex had the honour of being its custodian for the year. This year it goes to Staffordshire. The conditions were five shots at 200 and 500 yards. The winners of the prizes were—Of the St. George's Vase, gold jewel, and 8*l.*, Serg. Penzer, 5th Staffordshire, 34; second prize, silver jewel and 5*l.*, to Colour-Serg. Lawley, 2nd Administrative Battalion of Derby, 33; third prize, bronze cross and 4*l.*, to Corporal Doe, Cambridge University, 32 marks.

For the Alexandra prize the decision at 200 yards showed the following to be the winners of 10*l.* and upwards:—Private Wood, 36th Middlesex, 18 points, 20*l.*; Corporal Roe, 3rd Salop, 17 points, 15*l.*; Lieutenant Hitchcock, 7th Wilts, 17 points, 15*l.*; Private Stacey, South Middlesex, 17, 10*l.*; Captain Astley, School of Musketry, 17, 10*l.*; Sergeant Hall, 8th Bedford, 17, 10*l.*; Sergeant Randall, 12th Salop, 17, 10*l.*; Sergeant Seaman, 27th West York, 17, 10*l.*; Sergeant-Instructor Hove, School of Musketry, 17, 10*l.* At 500 yards, Private Steynes, 4th North York, 19 points, 20*l.*; Lieutenant Dutton, 1st Stafford, 18, 15*l.*; Private Johnston, 8th Stafford, 18, 15*l.*; Private Wyatt, 13th Salop, 18, 10*l.*; Private Dyer, Cambridge University, 18, 10*l.*; Ensign Thomas, 4th West York, 18, 10*l.*; Lieutenant Marriner, 9th Middlesex, 18, 10*l.*; Private Allen, 15th Somerset, 17, 10*l.*; Private Ryder, 12th North York, 17, 10*l.*

On the 19th two very important contests were determined, viz. that for the Gold Medal of the Association, and the Queen's prize of 250*l.*, either in plate or money. For the latter prize Lieutenant-Colonel Halford, of the Leicestershire Rifles, having made a score of 21 at 800, of 20 at 900, and of 18 at 1000 yards, or an aggregate score of 59, it was thought impossible that it could be beaten: congratulations, poured in upon him, and for nearly half an hour he was hailed as the conqueror of 1864. So confident were the friends of the colonel that some, in their over-zeal, even telegraphed the news of his success to Leicester; but sore was their disappointment, and great the enthusiasm of the large mass of the volunteers and the public, when a cry was raised from the Wimbledon side of the common that a full private of the London Rifle Brigade—one Wyatt—had beaten the gallant colonel with a score of 60. On this discovery the tone of the congratulators was changed, and the enthusiasm of the volunteers and of the people became excited when they saw Private Wyatt borne triumphantly on the shoulders of his comrades across the common to the council tent, and when Lieutenant-Colonel Warde, his commanding officer, rode up to congratulate him on his triumph. The fact having been verified at the council tent, Private Wyatt was again borne in triumph on the shoulders of his comrades to the encampment of the London Brigade, when every available liquor it contained, from champagne to bitter beer, was distributed *ad libitum*, in order to drink success to their fortunate comrade and to the honour which the brigade had, through him, achieved that day. In the



evening the whole of the tents were decorated with oak and laurel branches; a feast of lanterns was held, and hilarity was at its height.

The next highest scores to Colonel Halford's 59 were Corporal Richardson, 3rd Cambridge University, and Corporal Allen, 14th Wilts, who each made 53 marks.

The next match, which excited very great interest, was that of the public schools for the Ashburnham Shield, for which six of the great foundation schools had this year entered, namely, Harrow, Cheltenham, Rugby, Eton, Winchester, and Marlborough. The contest was at 200 and 500 yards, eleven representing each school. The following was the result:—

	200	500	Total.		200	500	Total.
Harrow . . . . .	123	103	226	Eton . . . . .	126	76	202
Cheltenham . . . .	132	86	216	Winchester . . . .	105	84	189
Rugby . . . . .	131	74	205	Marlborough . . .	117	68	185

Earl Spencer's Challenge Cup, at 500 yards, 7 shots, for the best of each eleven out of the public schools, was won by Corporal Thornton, Cheltenham College, with 11 points.

The second stage of the Albert prize, a cup of the value of 100*l.*, or money, open only to the winners of small-bore prizes at 200, 500, and 600 yards, the competitors to fire seven rounds each at 800, 900, and 1000 yards, attracted to the firing point all the crack shots amongst the small-bore marksmen of the present meeting. This naturally attracted very great interest, and after a very close contest Mr. Hercules Ross proved the winner, with the excellent score of 73 out of a possible score of 84 marks. The Association (small-bore) Cup was won by Hon. Member Ashton of the Liverpool Rifle Brigade, with 39 marks. In the competition for the City of London prizes the winners at 200 yards of 10*l.* and upwards were Sergeant Murat, 3rd Ayrshire, 19 points, 25*l.*; Colour-Sergeant Stukey, London Rifle Brigade, 19, 20*l.*; Private Block, Victoria's, 18, 15*l.*; Private Hall, 9th Middlesex, 18, 10*l.*; Corporal Rogers, 5th Forfarshire, 17, 10*l.*; Sergeant Snelus, 8th Cheshire, 17, 10*l.*; Private Curtis, 1st Surrey, 17, 10*l.*; Sergeant Fuller, Victoria's, 19, 10*l.* At 500 yards, Private Banton, 21st Middlesex, 16, 25*l.*; Private Norcombe, 1st Devon, 18, 20*l.*; and Captain Sanderson, 14th Somerset, 18, 15*l.* For the Mont Storm (breech-loader) prize, the three highest scores at 200 yards were Sergeant Jeffries, 18th Cheshire, 27; Sergeant W. E. Hook, 3rd Devon, 26; Private J. C. Kennedy, 29th North Middlesex, 25. The *Daily Telegraph* prize of 50*l.* was won by Lieutenant Burt, 1st Warwick, with a score of 19 out of a possible score of 20 marks. The great interest on the 21st was centred in the match between eight English and eight Scotch representatives for the Elcho International Challenge Shield. In 1863 England won with 1082 marks against 999 for Scotland. Several of the best shots on the English side this year broke down, and

Lord Bury was injured by a screen pole falling upon him and knocking one of his teeth out, which affected his steadiness in shooting. The contest was fifteen shots each at 800, 900, and 1000 yards, and the following was the result:—English at 800 yards 367, at 900 yards 282, and at 1000 yards 293—grand total 942. Scottish at 800 yards 356, at 900 yards 320, at 1000 yards 291—grand total 967. The Scottish side were therefore the winners for the first time out of three contests by 25 marks.

On the 22nd, the last day of the shooting, the two most important competitions were the Wimbledon Cup, and the Dudley, Derby, and Oaks prizes. For these skill of the highest kind was ensured, as, from the nature of their conditions, none but the best men could compete. The Wimbledon Cup, value 50*l.*, seven shots at 200, 600, and 1000 yards, was only open to winners of such prizes as the Queen's, the Albert, the Prince of Wales's, the Alexandra, the Duke of Cambridge's, &c., and the Dudley Prize only open to winners of prizes during the meeting. The ranges were—500 yards, five shots; and 800 yards, seven shots; any rifle; any position.

The Wimbledon Cup was won by Serg. Martin Smith, Victoria's, with the excellent score of 70 marks; whilst Earl Dudley's prize, in which all the "crack" shots of the present year's meeting competed, was won, after a most exciting contest, by Lieutenant Burt, of the 1st Warwick, after three ties of 46 with Mr. Fellowes, of the Victoria's, and Mr. Colin Ross. The Mont Storm prize competition was concluded, and out of the whole but two were carried off by any other breech-loading arm. The prizes for officers and sergeants of the regular army, raised by volunteers, five shots at 200, 500, and 600 yards, was also competed for, and the two highest of 5*l.* each were won by Sergeant-Instructor Morrison, of the School of Musketry, and Sergeant Smith, 75th Foot. The highest winner of Mr. Bass's prize, of 10*l.*, was Lieutenant-Colonel Hutchinson, 8th Lancashire; and Mr. H. Peck's prize of 50 guineas was won by Private Bruce, 3rd Kirkeudbright, with 18 points, 5 shots, at 200 yards. The Ladies' Consolation Prizes, for non-winners, 5 shots, at 500 yards, Enfield rifles, were shot for, and the first prize was won by Lieutenant Holdane, of the School of Musketry. For the fifth series of extra prizes the first choice fell to Lieutenant-Colonel Halford, of Leicester; and for the fourth series to Mr. Colin Ross.

The shooting having been thus concluded, and the proceedings having been conducted in the most satisfactory manner, but for one unfortunate circumstance, the accidental shooting of Thomas Cooper, a private in the Coldstream Guards, who was employed as a marker, and was mortally wounded by a bullet from the rifle of Sergeant Roberts, musketry-instructor, the distribution of the prizes took place on the ground itself. The Crystal Palace had been in former years the scene of this ceremonial, but for various reasons of convenience it was now found advisable

that it should take place at Wimbledon. A table was decked out with the handsome prizes, which had been displayed during the meeting in the exhibition tent, and placed at the foot of the flagstaff in front of the Grand Stand. A prominent object, fixed above the heads of the group surrounding the table, was the Elcho Challenge Shield, now being made by Messrs. Elkington and Co., and sufficiently advanced to show that it would be the finest specimen of *repoussé* ironwork ever produced in this country.

A guard of honour of 100 men of the London Rifle Brigade, under the command of Captain Pinckney, was drawn up in rear of the table, each man having a laurel leaf in his shako, emblematic of the victory achieved by their comrade, Private Wyatt. The band of the brigade, under Mr. Stanton Jones, played previous to the presentation, alternating with the band of the London Scottish, under Mr. M'Farlane, who were posted in the Grand Stand marquee. The Grand Stand marquee was occupied by a distinguished company, and the attendance of general visitors was greater than on previous years. The prize winners, or at least that portion of them who remained to receive their prizes, were drawn in oblique lines right and left of the table. The ceremony of presentation was commenced by

Lord Elcho, who said: "Volunteers, ladies, and gentlemen,—The Council hoped that they would have had either Lord Ellenborough or Earl de Grey to have given our prizes to-day. We have waited until the last moment, and I have reason to believe, from what I have heard, that it would be impossible for either of those noblemen to present the prizes to-day. In this difficulty it appeared to the Council that it would be acceptable to the prize winners if they were to receive their prizes from the hands of Lady Elcho, who is one of the heartiest and best supporters of the volunteer movement in the kingdom, though I say it that should not. I am not going to make a speech, and certainly not a speech about the volunteer movement, but before Lady Elcho presents the prizes you must allow me to congratulate the volunteers, as I sincerely do, on behalf of the Council, and of those present who take an interest in the volunteer movement, on the great success which has attended this Wimbledon meeting. Every thing would be prosperous were it not for the sad accident which happened two days ago, not through any fault or mismanagement on the part of the Council. It was one of those accidents which, though it was very grievous, we must, perhaps, make up our minds to. Where so many men are gathered together accidents more or less severe are sure to occur. We deeply regret it, and I am sure there is not a man on the ground who does not heartily sympathize with the poor fellow who is now lying suffering in the tent. Nor is that sympathy confined to us, for this morning we received a telegram from Her Majesty—ever anxious for the well-being of every one of her subjects—kindly and anxiously inquiring after



his condition, and requesting that she may be daily informed of his state of health. With this exception every thing has prospered. Our funds are prosperous, the weather has been propitious; and, whether it is the weather, or whatever may be the cause, whether it is that every one has won a prize I do not know, but, whereas before we have occasionally had a little grumbling on this common, this year I have not met with one grumbler. I except one, but that gentleman has since won a prize. I have shaken hands with him, and we are the best of friends, and I believe there is not a man leaves the common more content than this gentleman, who was the only one grumbler. This is satisfactory to the Council, and it must be satisfactory to all who take an interest in the Association. This is the first year almost, I may say, that it appears to have struck its roots really deeply into this Wimbledon soil, for we have seen people come and take an interest in us and the volunteer movement who never did so before. Of this I feel certain, that if we are only favoured with fine weather the shooting will improve, the number of volunteers will increase, and men who come here I hope will go away as satisfied as they have done this year. I can assure every volunteer, whether coming from the metropolis or from the remote districts of Scotland, that no effort will be wanting on the part of the Council to do all in our power for their comfort, happiness, and amusement when they come and honour us with their presence at Wimbledon. I shall now call the names of the winners, and Lady Elcho will present the prizes."

The prizes were then handed by Lady Elcho to the winners or their representatives, and where the prize had already been received according to the system adopted this year, the ceremony was represented by her ladyship shaking hands with the fortunate winners.

The advent of the two young Harrovians to bear off the Ashburton Challenge Shield was the signal for the hearty greeting which is always accorded to these promising marksmen of the future.

The volley-firing, tried this year for the first time at Wimbledon, was characterized by Lord Elcho as a great success, as no less than between forty and fifty squads had entered.

The St. George's Challenge Cup was presented by Lieutenant-Colonel Lindsay, who said that it was well known what the object of the prize was, so he would only say that it had been three years before the volunteers, whose interest in the competition had each year increased. The first year he had handed over to the National Rifle Association 95 dragon sovereigns, the proceeds of the entrance fees paid by the competing battalions; last year, 105 dragons; and this year he handed over, after paying for prizes and the heavy expenses connected with the competition, 180 dragon sovereigns. That was sufficient to satisfy him and his regiment that the prize was properly appreciated. He was glad

that the Vase had this year gone into Staffordshire, because every battalion there, with one exception, had steadily supported him. The gallant officer concluded by handing over to Lord Elcho a purse containing the 180 sovereigns referred to.

For the beautiful Challenge Cup, presented by the Chancellors of Oxford and Cambridge for annual competition between the volunteer corps of those Universities, and won this year by Cambridge, Lieutenant-Colonel Baker, Captain E. Ross, Ensign Roberts, Mr. Doe, and Mr. Peterkin came up, and were warmly received as a quintet of excellent shots.

With respect to the Elcho Challenge Shield, the noble lord said that it had been won by England two years in succession, but this year there had been a turn in the tide of victory, and Scotland, he was happy to say, had carried off the prize. He did not believe there was any Englishman present, whether he wore a black coat or a volunteer's uniform, who grudged Scotland its turn of victory this year.

Lord Elcho then presented the Wimbledon Cup to Mr. Martin Smith, who was warmly cheered, explaining that it was instituted for those who were debarred from winning certain prizes on account of having won them before. Mr. Martin Smith had won it the first time, and had proved himself to be the best shot by day as well as by night, for he had also won the Owl Prize, making four "owl's" eyes in ten shots, when shooting at twelve o'clock at night.

The Dudley Prize was then handed to Lieutenant Burt, 1st Warwick, and the Duke of Cambridge's Prize to Captain E. Ross, when the grand prize of the meeting was reached. With reference to the Queen's Prize, Lord Elcho explained that it was divided into two stages; the first, that with Enfield Rifles, at 200, 500, and 600 yards, and the second stage with Whitworth's, at 800, 900, and 1000 yards. Hitherto the best Enfield shot had received only a rifle and a silver medal; but as the Council believed they would be able to scrape through this year after paying all their large expenses, they had thought it right to risk a little, and give 50% to the winner of the silver medal. Private Haward, he was sorry to say, was not there to receive it, having gone back to Suffolk. Coming to the chief prize of the meeting, the Queen's Prize of 250%, the gold medal of the Association, and a Whitworth rifle, he said it had been won by Private Wyatt, London Rifle Brigade. It went to one of the steadiest and best shots of one of the best, if not the very best, of the metropolitan regiments that we have. The guard of honour was here called to attention by Lieutenant-Colonel Warde, and the band struck up, "See the Conquering Hero comes," during which Private Wyatt came forward and received a purse from the hands of Lady Elcho and retired. Lord Elcho invited the assembly to give three cheers for Private Wyatt, which was heartily done.

Lord Bury then proposed three cheers for Lady Elcho, which

were accordingly given, the band playing, "Here's a Health to all Good Lasses." Captain Ross then proposed cheers for Lord Elcho, who returned thanks, and the proceedings were brought to a close by Captain Williams proposing cheers for Captain Flood Page, for his great activity in promoting the success of the meeting.

The distribution of the prizes having been completed, the final stage of the meeting consisted of a grand review of the Volunteer Corps, by H.R.H. the Commander-in-Chief, which took place on the same afternoon, on the ground. The arrangements for the purpose this year were of a very different character from any which have preceded it at Wimbledon, not only with respect to the massing of the volunteers themselves, but also with regard to the accommodation of the public. In lieu of the "Grand Stand," so called from the array of elevated seats one above the other under the canvas, the National Rifle Association had this year made an arrangement of their own, which comprised a series of seats, extending along nearly the whole northern side of the common, the great circular marquee, formerly used as a refreshment tent, occupying the centre, whilst two large square marquees formed a sort of adjunct or retiring saloon on either side. These seats were enclosed by iron hurdles, with entrances at equal distances, efficiently guarded by the police and the officers of the Association, so that none but those authorized by tickets could gain access to the enclosure. Thus partitioned off, many thousands of ladies and gentlemen took up their positions as early as four o'clock, and by five, the railed-off space became densely thronged, the fineness of the day no doubt contributing materially to the immense increase of the gathering of the upper classes, as compared with any previous occasion. The number of general visitors also by far exceeded that of any previous year. On the other hand, there was certainly a falling off in the muster of volunteers, there being not more than from 9000 to 10,000 in the aggregate, as against 12,000 or 14,000 in previous years.

The hour appointed for the various corps to be on the ground was five p.m., and generally speaking they were pretty punctual, but it was past six o'clock before they were brigaded and got into formation.

The Commander-in-Chief arrived on the ground shortly after the time specified, accompanied by a brilliant staff, including the commanders of the two divisions, General Rumley and General Sir J. Yorke Scarlett, Colonel M'Murdo, Inspector-General of Volunteers; Colonel Erskine and Colonel Ibbetson, Deputy Inspectors; Colonel Tyrwhitt, Captain Grey, aides-de-camp, &c. So soon as His Royal Highness came on the ground, his first inquiry was as to the state of the unfortunate guardsman Cooper. Accompanied by the Colonel of the Coldstream Guards, by Surgeon-Major Wyatt, Mr. Guinness, Staff-Assistant Surgeon of the regiment,



Dr. Westmacott, of the London Scottish, surgeon to the National Rifle Association, Colonel M'Murdo, and others, he visited the hospital tent where the unfortunate man was lying, and having ascertained that he had improved, and bore his misfortune in the most courageous manner, His Royal Highness, with that good and kind feeling of humanity which is a trait in his character, gave orders that not a shot should be fired. This order was conveyed through Colonel M'Murdo to the commanding officer of every regiment, and the issue of blank ammunition was strictly countermanded. Although such an order was calculated to render the review a comparatively tame affair with regard to the volunteers, and more especially so to the public, yet when they learnt the generous motives which had prompted the proceeding, they cheerfully acquiesced, notwithstanding the disappointment the sad occurrence had occasioned.

This circumstance naturally altered the character of the review, which it was originally intended should have been an attack and defence between the two divisions as on former occasions. In the first place the volunteers having been formed into brigades in the order of their arrival, were massed in their respective battalions in column at quarter-distance on the eastern side of the enclosure of the common, the artillery on the extreme right. The whole of the regiments having got into position, were marched by echelon of battalions in a south-westerly direction across the common, and having formed an alignment in divisions on the south side, the mounted troops of the cavalry of the Hon. Artillery Company and the 1st Surrey manœuvred in front of the Grand Stand, followed by the Artillery. The London Irish were then thrown out in a somewhat peculiar and irregular manner as skirmishers from the left, and laid down along the whole frontage of the grand enclosure. Having, as it was supposed, been forced to retire from their very undignified position, they took up a new alignment about 150 yards in rear of their first position, and at the sound of the bugle again retired. A change of front took place, and the two divisions advanced in line. The brigades then retired by fours from the right of companies, and having subsequently formed up in column, the whole army was wheeled into column on the right, and preparations for the march past took place. His Royal Highness the Duke of Cambridge having taken up his position at the flagstaff, the bands of the London Rifle Brigade, the 1st Middlesex Engineers, the Victoria's, the 1st Middlesex Artillery, the London Irish, &c., took post on the opposite side.

The various brigades, which were respectively under the command of the Duke of Wellington, the Marquis of Donegal, Viscount Bury, Viscount Ranelagh, Lieutenant-Colonel Walker, Colonel Luard, Lord Radstock, and Lieutenant-Colonel Bigg, then commenced the march past in the following order:—

The First Division, under command of Major-General Sir J. Yorke Scarlett, consisted of the cavalry of the Hon. Artillery

Company, headed by Major Robinson, and under command of Captain Jay—followed by two batteries of artillery of four guns, and the batteries of the 2nd Surrey Artillery, also with four guns. The infantry then succeeded, in the following order:—The 1st Middlesex (Victoria's), under Major Greenhill, and the 36th Middlesex, Lieutenant-Colonel Wood, in one battalion of four companies; the 19th Middlesex (Working Men's College), Lieutenant-Colonel Hughes, five companies; the 2nd Essex Administrative Battalion, Lieutenant-Colonel Davis, seven companies; the 3rd City of London, Major Richards, six companies; the 5th Administrative Battalion of Essex, Lieutenant-Colonel Capper, six companies; the 5th Administrative Battalion of Middlesex, Colonel Grey, eight companies; the 1st Surrey, Lieutenant-Colonel M'Donald, four companies; 15th and 16th Surrey, three companies; the 46th Middlesex, Central London, Lieutenant-Colonel Somerset, four companies; the London Irish, Major Verner, five companies; 20th Middlesex, Captain and Adjutant Hotham, four companies; the 7th Surrey, Major Beresford, four companies; the St. George's, Colonel Lindsay and Major Ives, four companies; the West Middlesex, Captain Dear, three companies; the 1st Tower Hamlets Administrative Battalion, Lieutenant-Colonel Buxton, composed of three corps, eight companies; the 4th and 6th Tower Hamlets, Lieutenant-Colonel Money, four companies; the 12th Surrey, Colonel Cole, four companies; the 39th Finsbury, Colonel Penton, four companies of 13 files.

The Second Division, commanded by Major-General Rumley, comprised the 1st Middlesex Artillery, Colonel Creed, six guns; the 3rd Middlesex Artillery, two batteries of six guns. The 1st Brigade, commanded by Lord Ranelagh, who was loudly cheered as he passed the flagstaff; 2nd, 8th, and 9th Tower Hamlets, Lieutenant-Colonel Samuda, four companies; 1st Middlesex Engineers, Lieutenant-Colonel M'Leod of M'Leod, five companies; the South Middlesex, Major Atherley, four companies of 22 files; the North Middlesex (29th), Lieutenant-Colonel Whitehead, four companies of 20 files; the Civil Service, four companies, and Artists, one company, Viscount Bury; the 19th Surrey, four companies; the 4th Middlesex, Lord Truro, four companies of but 10 files; the 37th Middlesex (Bloomsbury), Lieutenant-Colonel Corrie, four companies of 13 files; the London Rifle Brigade, Lieutenant-Colonel Warde and Major Rose, here followed, each man wearing in his shako a laurel leaf in honour of one of their comrades, Private Wyatt, having won the Queen's Prize of the present year. The brigade mustered eight companies, and its appearance was greeted with general and enthusiastic applause. Next followed the 2nd Administrative Battalion of Middlesex, Lieutenant-Colonel Wilkinson, six companies, and was succeeded by the London Scottish, headed by Lord Elcho, who, as well as the regiment, was loudly applauded; it consisted of five companies. Colonel Biggs' was the last brigade, and consisted of the Queen's

(Westminster), Lieutenant-Colonels Lord Grosvenor and Lord Gerald Fitzgerald, eight companies; the City of London and Tower Hamlets Artillery, Major Walmsley, four companies; the 48th Middlesex (Teetotallers); 4th City (Foresters), and 2nd City of London in one battalion, Lieutenant-Colonel Cruickshank and Major Spottiswoode, six companies of 13 files, and the 46th Middlesex (London and Westminster), Sir John Shelley, M.P., four companies.

These comprised the whole of the force on the ground, and the marching past was altogether of a highly creditable character, the corps particularly distinguished, and receiving the greatest amount of applause, being the London Brigade, the South Middlesex, the London Scottish, the Civil Service, the North Middlesex, the London Irish, the Queen's, the Victoria's, and the St. George's, but all deserved the meed of approbation which His Royal Highness the Commander-in-Chief was pleased to bestow upon them.

The corps marched directly off the ground to the respective railway stations, which were crowded till a late hour.

## AUGUST.

4. A MADMAN IN A RAILWAY CARRIAGE.—In one of the third-class compartments of the express train leaving King's-cross Station at 9.15 p.m., a tall and strongly-built man, dressed as a sailor, and having a wild and haggard look, took his seat about three minutes before the train started. He was accompanied to the carriage by a woman, whom he afterwards referred to as his wife, and by a man, apparently a cab-driver, of both of whom he took leave when the train was about to start. It had scarcely done so, when, on putting his hand to his pocket, he called out that he had been robbed of his purse, containing 17 $\frac{1}{2}$ ., and at once began to shout and gesticulate in a manner which greatly alarmed his fellow-travellers, four in number, in the same compartment. He continued to roar and swear with increasing violence for some time, and then made an attempt to throw himself out of the window. He threw his arms and part of his body out of the window, and had just succeeded in placing one of his legs out, when the other occupants of the carriage, who had been endeavouring to keep him back, succeeded in dragging him from the window. Being foiled in this attempt, he turned round upon those who had been instrumental in keeping him back. After a long and severe struggle, which, notwithstanding the speed the train was running at, was heard in the adjoining compartments, the sailor was overcome by the united exertions of the party, and was held down



in a prostrate position by two of their number. Though thus secured, he still continued to struggle and shout vehemently, and it was not till some time afterwards, when they managed to bind his hands and strap him to the seat, that the passengers in the compartment felt themselves secure. This train, it may be explained, makes the journey from London to Peterborough, a distance little short of eighty miles, without a single stoppage; and as the scene we have been describing began immediately after the train left London, the expectation of having to pass the time usually occupied between the two stations (one hour and fifty minutes) with such a companion must have been far from agreeable. While the struggle was going on, and even for some time afterwards, almost frantic attempts were made to get the train stopped. The attention of those in the adjoining compartment was readily gained by waving handkerchiefs out of the window, and by and bye a full explanation of the circumstances was communicated through the aperture in which the lamp that lights both compartments is placed. A request to communicate with the guard was made from one carriage to another for a short distance, but it was found impossible to continue it, and as the occupants of the compartments beyond the one nearest the scene of the disturbance could learn nothing as to its nature, a vague feeling of alarm seized them, and all the way along to Peterborough a succession of shouts of "Stop the train," mixed with the frantic screams of female passengers, was kept up. On the arrival of the train at Peterborough the man was released by his captors and placed on the platform. No sooner was he there, however, than he rushed with a renewed outburst of fury on those who had taken the chief part in restraining his violence, and as he kept vociferating that they had robbed him of his money, it was some time before the railway officials could be got to interfere—indeed, it seemed likely for some time that he would be allowed to go on in the train. As remonstrances were made from all quarters to the station-master to take the fellow into custody, he at length agreed, after being furnished with the name and addresses of the other occupants of the carriage, to hand him over to the police. The general impression on those who witnessed the sailor's fury seemed to be that he was labouring under a violent attack of *delirium tremens*, and he had every appearance of having been drinking hard for some days. Had there been only one or even two occupants of the compartment besides himself, there seems every reason to believe that a much more deadly struggle would have ensued, as he displayed immense strength.

8. RIOTS IN BELFAST.—Disturbances of a very serious nature, having their origin in the bitter religious dissensions which divide society in the north of Ireland, broke out in Belfast, leading to scenes of great violence and outrage, and causing much damage both to property and person. The riots took their origin in the ceremonial of inaugurating a monument to the late Daniel

O'Connell in Dublin. This celebration of the memory of the famous Roman Catholic champion was not in itself of an aggressive or offensive character, nor was it attended at the time with any manifestation of hostility on the side of the Orange party. At an early hour on the 8th, the streets of Dublin were thronged by persons wearing green sashes and rosettes taking up places on the footways, from which they would have a good view of the coming procession, or repairing to the various places of rendezvous for the several trades. The people were all in holiday dress, and generally respectable and well-behaved. Having assembled at Stephen's-green, the Associated Trades took the lead in the procession. Every section of the procession had its own chief and subordinate officers, and the whole moved according to a system of discipline which they had established. Ten o'clock was the hour mentioned for starting, but it was not till near one o'clock that the old state coach, drawn by six horses, was seen moving from the Mansion-house. The procession was formed in the order laid down in the programme. It was made up principally of the trades, the corporations, the schools, and the religious fraternities. There was not much enthusiasm manifested any where; but the fact that so much trouble had been taken, and so much money spent to make the demonstration respectable and successful, showed that there was a deep feeling connected with the memory of O'Connell among the lower classes, and to a great extent among the middle class. Those who got up the demonstration had reason to congratulate themselves on the result. There was no manifestation of sectarian feeling on the part of the most ignorant—no disposition to molest any one on account of his religion or politics. There may have been isolated cases of rudeness out of the range of the procession, but they must have been very rare. It is impossible to calculate the number of people attracted by the show, but in Dame-street alone there could not have been less than 50,000, while many other streets were filled in the same way.

The procession arrived at the site of the monument in Sackville-street, where the hordes filed off. Within the enclosure Sir John Gray read an address to the Lord Mayor, eulogizing O'Connell, recording his achievements for Ireland, and in the name of the Monument Committee, requesting him, as chief magistrate of the city, to lay the first stone. His lordship read a suitable reply, after which the ceremony was performed.

It was near six o'clock before the ceremony was over. It was almost immediately followed by a banquet in the round room of the Rotunda. About 500 gentlemen sat down to dinner. The Lord Mayor presided. "The Pope" was not in the list of toasts. "The Queen," "The Prince and Princess of Wales," &c., were received with warm demonstrations of loyalty. On "The Memory of O'Connell" being given, the Most Rev. Dr. Leahy, Archbishop of Cashel, delivered an eloquent speech. Able speeches were also delivered by

Mr. Kavanagh, Sir Colman O'Loughlen, M.P., Mr. Dillon, Sir J. Gray, and Mr. Maguire, M.P. So far all went off quietly, and there seemed no reason to apprehend any evil consequences from this popular ceremonial. But the Protestant population of Belfast, or at least the lower section of them, could not permit such a triumph of their opponents to pass off without making a "counter-demonstration." The protest which they determined on took a shape which could not fail to be highly offensive to the feelings of the Roman Catholic party. The effigy of O'Connell was constructed, with hands in begging attitude, and a large wallet by its side, to represent the love of the illustrious deceased for the "rent" of the peasantry. With this, several thousands of the mill-workers, with fifes and drums, paraded the town, and in the evening the figure was set on fire with cheers and laughter. To this foolish demonstration all the ensuing troubles may be attributed.

The Protestants who had burnt O'Connell in effigy were, it seems, especially pleased to hear they had caused so great a commotion among their enemies, and having burnt him they determined to bury him. A real coffin was bought, the ashes of the image were placed in it, large numbers of the mill-workers assembled, and formed in procession with fifes and drums in front, playing a Dead March, varied with lively airs, followed by the empty coffin, on which five blue-lights or Roman candles were burning, and in the rear a dense mass of mill-workers—boys and girls in their working costumes, just as they had left work, the girls with bare heads, loose jackets, short petticoats, and for the most part unshod. The coffin was borne to the Friars-bush burying-ground, a distance of about a mile and a half, but admittance was refused; the coffin was then carried in mock solemnity to the Boyne-bridge again, where it was burned, and the embers thrown into the Blackstaff. Hitherto no damage had been done, and the greater part of the crowd then dispersed. The Roman Catholics, however, were made aware of what was going on, and at once set off to wreak their vengeance in some way on some other object, in consequence of the manner in which the "Liberator's" memory had been dishonoured. The first stones thrown were directed against the Albert-street Meeting-house, and the Wesleyan-Methodist place of worship in Devis-street—nearly all the glass in the front windows of both being smashed. Several houses in which Protestants lived, in the Pound district, were served in the same way, and a number of persons received intimations to leave, which they were not long in acting upon. Mr. Montgomery, living in English-street, and owner of a number of houses there, was driven out of his house in the night, and his furniture taken out and broken in the street.

On the morning of the 10th, the mill-workers of both sides going to work between five and six o'clock, made several attacks on individuals, but nothing of a very serious nature occurred until the evening, when an attack was made on Brown-square by the



Roman Catholic party, and a serious encounter took place between them and the persons who sallied forth to protect their houses, and who successfully repelled the assault. The Roman Catholic party then retired, beaten, to their dens, whence they emerged again in a short time, armed with brickbats and paving-stones, and attacked the constabulary with showers of these missiles, wounding five or six severely. The remainder of the night was anxiously spent in guarding against an attack. The police were withdrawn about two o'clock; but in about an hour after, the scouts from the Pound (Roman Catholics) having ascertained that the coast was clear, the main body made a rush up Durham-street, smashing the windows on both sides as they proceeded. In a few minutes the street was filled with its inhabitants, and the mob beat a quick retreat, but not before the constabulary arrived and captured one or two of them, as well as six or eight of those who had turned out to protect their property. The same party made another attack in a different direction, but were driven past their outposts. The police were obliged to remain on duty there during the remainder of the morning; and in one of the subsequent personal encounters between the parties, a girl named Ellen Bell was severely injured, by a blow from a constabulary rifle. There continued great disorder up to the afternoon, the mill-workers not going to work; and in the evening the disturbance was resumed by about forty of the Pound-street mob, who sallied from Hercules-street and Smithfield, under pretence of protecting Dr. Malache's chapel in M'Clain's-fields, and in the route smashed several panes of glass in the Methodist places of worship in Donegall-place and Donegall-square, Dr. Cooke's Meeting-house, and the Rev. Mr. Shaw's, and in passing down Arthur-street, broke the windows of several private houses—the Sandy-row party, in retaliation, breaking the windows of several Roman Catholics. Another row occurred in Barrack-street, where the Pound mob came into collision with the police, who made several captures. The rioting continued more or less all the week, but on the Sunday, quiet appeared to have been in some measure regained.

On Monday the 15th, however, the disturbances were renewed. According to the accounts received, the aggressors this time were the Roman Catholics, in the persons of a large body of furious navvies, who attacked and completely wrecked the Protestant houses in Brown-street, and also the National School. They came in contact with the Protestant party at Albert-crescent, and had a regular battle, in which many on each side were badly injured. They were with much difficulty separated by the police. On the same afternoon every portion of the disturbed districts was lined by police with fixed bayonets. Mr. Sullivan, sub-editor of the *Roman Catholic Observer*, was seriously injured from the effects of a severe beating by the Protestant mob. The military had been called out, and were, under the command of Mr. Lyons, J.P., parading the Protestant districts. The disturbed districts were crowded

by men, women, girls, and boys, all carrying bludgeons, pitchforks, and other implements.

On the 16th the rioting was worse than ever. The police and military patrolled the streets and fired on the mob. Two men were shot dead—one by the police and one by a rioter—and between fifty and sixty more or less seriously wounded. A great many skirmishes took place during the day—one serious fracas at five a.m., when a man was killed in the mob. During the forenoon about a thousand ship carpenters paraded the streets and broke into two gunsmiths' shops, carrying away all the firearms and powder they could find. The magistrates afterwards sent a party of constables and soldiers to the gunpowder stores, and took possession of the stock, to save it from the mob. The carpenters, mostly Orangemen, vowed vengeance against the navvies, mostly Roman Catholics, who had worked such havoc on the previous day.

The riots were renewed on the 17th, with lamentable consequences: great numbers were maimed, and five men were taken to the hospital greatly injured. In the evening a serious collision took place between ship carpenters and navvies. The latter were forced into mud-banks in the harbour, and were fired upon from the banks of the river by the Orange party. Nine or ten received gun-shot wounds, and one was reported dead.

No serious rioting took place in Belfast on the 18th; but a shameful act of the Roman Catholic party nearly led to a renewal of the fighting. As the funeral of a Protestant, who was shot at Boyne-bridge, was passing to the cemetery, it was fired upon. Great excitement ensued in the district, but luckily the mourners did not retaliate.

Large reinforcements were despatched from Dublin, and upwards of 4000 soldiers arrived in Belfast.

The Roman Catholic Bishop issued an address to his flock, urging them to peace and quietness, but both sides appeared to be beyond remonstrance.

On the 19th a row occurred at a place called Millfield, which however was soon quelled, but it was followed by a tragical occurrence. A youth named John Halliday, a Roman Catholic, only nineteen years of age, was walking quietly along the footpath, when a shot was fired at him by some person, out of an entry. The bullet passed through the abdomen. He was taken to the General Hospital, where he died immediately.

At length, on the 24th, it was reported that Belfast was restored to tranquillity, and the frightful outrages, which for the past fortnight disgraced the town and filled the peaceable inhabitants with consternation, come to an end. During the afternoon, indeed, some alarm was created, by a report that the navvies had again risen, and, burning under the shame of their recent defeat, were going to attack the ship carpenters. The latter then left off work, armed themselves, and marched towards a place called

Ballymacarrett, to meet their opponents. Had they encountered them, a sanguinary engagement would certainly have ensued, but happily the rumour was destitute of foundation. Mr. Lyons, J.P., with fifty Hussars, galloped after the excited shipwrights, and, by a judicious mixture of firmness and persuasion, prevailed upon them to return to their work. The town then, in some measure, resumed its wonted aspect. The magistrates adopted the wise precaution of closing all public-houses, from six in the evening until ten o'clock in the morning. They also hired several empty houses in the disturbed districts, as temporary barracks for soldiers and constabulary, who were thus distributed among the people in the localities where the disturbances have always originated.

As some Roman Catholics who had died from injuries received in the riots, were to be buried on Sunday the 23rd, it was apprehended that the funeral processions might give rise to some disturbance; but this was prevented by the judicious regulations of their clergymen, who insisted that the funerals should be celebrated with the least possible display, and be attended by no more than five or six persons, the immediate relatives of the deceased. In consequence of these wise precautions, the exhortations of the clergy of all persuasions, and the salutary influence of the promises which the leaders of the opposing factions made to the gentlemen who endeavoured to revive in them a spirit of peace and goodwill, the tranquillity of the day was happily unbroken.

It will be long, however, before the traces of the devastation caused by this deplorable conflict disappear from the town, many parts of which presented the appearance of having been sacked by a horde of banditti. In some places heaps of ruins marked the spots where houses stood a few days before; in other places whole lines of houses, windowless, doorless, their fronts battered by paving-stones, stood empty, having been rifled of every thing they contained. In those quarters the roadways were strewn with the *débris* of furniture shattered to pieces, and in some cases burnt. Another effect of the disturbances, from which the poorer classes suffered greatly, was the increased prices of provisions, which, in some cases, were nearly doubled.

With regard to the injuries to life and limb, resulting from the disturbances, it appeared, on subsequent inquiry, that not more than seven deaths could be ascertained to have taken place, but it was computed that at least 150 persons had sustained wounds or injuries of some kind. The House Surgeon's report to the board of management of the General Hospital of Belfast, for the week ending August the 19th, was a remarkable document, as showing the bloodthirsty character of the week's rioting. It was as follows:—

"I beg to report that, during the past week, there were admitted to hospital 75 patients, of whom 66 were suffering from severe injuries. Upwards of 50 of these cases were the result of the pre-



sent riots in town, 30 of them being gun-shot wounds, and the remainder contusions, lacerations, fractures, and other injuries of a serious character. Besides these cases admitted, there were upwards of 60 treated as out-door patients, of which the greater portion were gun-shot wounds, some of them really of a dangerous character, but which, contrary to advice, did not remain in hospital, in consequence, probably, of a fear of detection by the authorities. Up to this time only two deaths have occurred in the hospital from injuries in the riots, but several more are to be apprehended. To meet the emergency I have been obliged to engage an additional resident staff, both of medical gentlemen and of nurses. In concluding my report, I cannot refrain from mentioning with the highest praise, the exertions of all the resident officials of the institution—house pupils, house-keepers, and nurses—under the extraordinary pressure of duty so suddenly thrown upon them.

“DAVID MOORE, House Surgeon.”

The contagion of these unhappy disturbances spread, though in a more mitigated form, to other towns in Ireland in which the embers of religious discord are continually smouldering. In Dundalk the Roman Catholics burnt the effigy of King William, and then broke the windows of a number of houses belonging to the Protestants, including those of the Methodist Chapel, the Ragged Schools, &c. The Protestants were too weak to retaliate. A large detachment of the 49th Regiment were sent down by special train to Dundalk and Newry, to be available in case of riots in those districts. Happily, the precautionary measures adopted prevented any ebullition of violence.

At Longford there was a tendency to an outbreak, but it was promptly suppressed.

In Cork some disturbances occurred in the streets which gave rise to apprehension. A crowd of about 400 persons, chiefly boys, paraded the streets for several hours, singing, whistling, and shouting. They marched through the greater part of the town, receiving reinforcements as they went along. A large body of police was placed under arms at the Quickey-street station, and as the crowd passed by, a volley of blank cartridge was fired at them, when they immediately scattered and fled in every direction. A strong force of police patrolled the streets and maintained order.

Towards the close of the year, the Government appointed a Commission of Inquiry, to investigate the causes which had led to the disturbances above recorded at Belfast.

10. THE THORNBURY MURDER.—At Gloucester Assizes (Oxford Circuit), Louis Gough, 55, was indicted for the wilful murder of Mary Curtboys. The deceased, a blind widow, living at Ulverstone, had been intimate with the prisoner, who felt jealous on account of attention paid to the deceased by one Pritchard, a gamekeeper. Gough and the deceased were out together on Monday, May 9, at five o'clock. At nine she was seen feeling

about the flowers in her garden. She was never seen again alive. Next morning she was found lying dead in her garden, and a razor and a hammer were lying under her. The prisoner was in his lodgings that evening. He usually slept with his nephew, John Gough; but on this night he did not go to bed at all, and he was missing next morning. Two days afterwards he was arrested at fourteen miles' distance from Thornbury, and he made two statements to police-constable Bryan. The first was as follows:—"It was not through me. It was Major Peach's keeper's fault. I caught them together a great many times. On the 15th of November I caught him in the house with his breeches down. She was against me uncommonly. I loved her as my life. I'm sorry for it, and I hope the Lord will receive her soul and mine. On Monday afternoon I went to her house. I told her about the keeper, and she said, 'If you're not off, I'll put this knife through you.' On that I quietly left the garden." The next statement was made by the prisoner on the 14th of May as follows:—"On Saturday night I went to her door and knocked. She came out, and said she would go and fetch the constable. She had fastened the gate leading into the garden, and she brought the key to unfasten it. She stooped down to unlock it, and as she rose up I hit her with a hammer and stunned her. I then took out a razor from my pocket and cut her throat. I left the woman there, went back to my lodgings, and sat before the fire until between two and three o'clock next morning. I then went back to the house, and looked at the woman, and saw she was dead, and I then made off." Verdict—Guilty. Mr. Justice Shee passed sentence of death in the usual form.

16. MURDER.—INSANITY.—At the Crown Court at Leeds Assizes, before Mr. Justice Keating, Mary Ann Dyson was indicted for the wilful murder of her two children, Mary and Archibald Dyson, at Rastrick, near Halifax.

The prisoner, who was 23 years of age, was the wife of a labourer living at Rastrick. On the 14th of April she went to the police-office, and said, "I have killed my two children; I have taken them out of their misery; lock me up. I loved them; they are in Heaven." The police thereupon went to her house, and found the two children lying dead, with their throats cut, and a razor lying beside them. The room was almost destitute of furniture, but one of the children had a piece of cake in its hand. To another policeman the prisoner said, "I have murdered my two children; these hands have done it. If I had millions of worlds, I would give them all to recall the deed I have done. William (her husband) has been a good husband and an affectionate father, and I have deprived him of both titles. I gave Mary a bit of cake, and then I killed her, wretch that I am." The only question in the case was the state of mind of the prisoner at the time she committed the act. Upon this point the evidence for the prosecution was that the prisoner had always shown herself an

affectionate mother, but often complained of being low and weak, and frequently imagined that some harm would happen to her husband. On one occasion she was heard to say that she wished she had not her two children. When remonstrated with for her depression of spirits, she had replied, "I cannot help it; I have tried to be like other people, and cannot." To the surgeon who examined the children, she admitted that she had done it, and on being asked why, replied, "What's done cannot be undone." The surgeon then asked her if she had had sufficient food, and she answered, "Oh, yes." He then inquired if they were good children, and she said, "Oh, yes, little darlings, they were very good." She was then in an exceedingly wild and excited state, and presented an insane appearance. She was very depressed, and had a melancholy expression on her face. She rolled her eyes frequently, and sighed deeply. The next day the surgeon saw her again, and asked her how she came to do it. She said she could not tell; the thought suddenly came upon her, and she did it. He added that there might be a dim consciousness of right and wrong without the power of controlling the act.

For the defence, the prisoner's father and mother were called, and stated that she was a native of Ireland, and was married there about four years ago. When a child, she was subject to fits, owing to an injury to the spine. She was apprenticed to the millinery business, but had to be taken home, after having thrown herself into the Shannon. She was always eccentric in her manner, and on one occasion ran away from home without her clothes, and was not found until the day after. Four of her brothers and sisters had died of water on the brain.

After retiring for twenty minutes the jury acquitted the prisoner on the ground of insanity, and she was ordered to be confined during Her Majesty's pleasure.

21. LOSS OF AN AUSTRALIAN SHIP.—FEARFUL SUFFERINGS OF THE CREW.—Intelligence was received of a melancholy shipwreck, attended with frightful sufferings and loss of life. A succession of heavy gales seems to have swept the whole Pacific Ocean, inflicting an amount of damage almost unprecedented. With the exception of one or two cases, Liverpool shipping escaped well; but of the vessel in question, the "All Serene," a different tale has to be told. It appears that she was on a voyage from the Sandwich Islands to Sydney, having been chartered to carry a cargo of timber. She left Sandwich Islands on the 25th of January, and had fair winds and fine weather till the 21st of February. The morning of that day commenced with very slight rain. About nine a.m. it began to rain heavily, and between eleven and twelve it began to blow, but the ship was under very snug sail and weathered it beautifully. The gale increasing, every thing was being done to withstand the storm, when two tanks, which were stowed on deck and on each side of the wheel, got adrift, and carried the wheel away. The ship, consequent on the loss of the wheel, broached to, heeling over to



leeward tremendously, sometimes dipping her fore and main yards half in the water. The mizen mast was cut away to ease the tremendous rolling of the ship, which was frequently buried beneath the seas. Most of the passengers and crew, with the exception of the mate, the captain's wife, and two children, who had previously been washed overboard, managed to reach the main and mizen chains. An eye-witness describes the scenes in the chains as heart-rending. Of thirty-seven in the forward chains, only three got safely back again. A punt was eventually made, in which the remainder of the crew and passengers embarked and stood for land. Their sufferings in the boat are thus described by a survivor:—"Now began our fearful scene; numbers dying every day for want of water, suffering from sores, boils, &c., from drinking sea water." We will pass over the sixteen days they were in the boat—suffice it to say that every day one, two, and often three deaths from sheer starvation occurred. About eight p.m. on the 17th of March, land was discovered on the starboard bow, and shortly afterwards (says the narrator) "we struck on some coral reef, off the island of Kordara (Fiji group). You can easily judge of the trouble we had to land from a coral reef. Six of the strongest of us jumped out and made for a light which we saw on the shore, and found it to be in the houses of the natives. We were greatly afraid of the natives, and at first doubted their friendliness to us; but we wronged them, for they treated us with great kindness the five days we remained with them. On the Saturday a Wesleyan missionary, who had heard from the natives of our condition, came to us and remained till Monday. He was the Rev. J. Nettleton, and left us on the Monday only to make arrangements with his brother minister, the Rev. William Fletcher, for our welfare. The next day two whale boats were sent for us, bringing presents to the chiefs for their kindness to us while there. Nine of us went to Mr. Nettleton's residence, and the remainder to Mr. Fletcher's, and all received the utmost comfort and care." The "*All Serene*" was a vessel of 1000 tons burthen, and was under the command of Captain Myers. She was owned in Melbourne.

24. CAPTURE OF THE "*GEORGIA*."—The Federal steam frigate "*Niagara*" brought up in Dover Roads this morning, having on board Captain Withycombe and thirty-three men belonging to the screw steamer "*Georgia*," the property of a British merchant resident in Liverpool, which was captured by the "*Niagara*," while sailing under the British flag, on the 15th of August, about twenty miles off Lisbon. The capture was made by the commodore in command of the "*Niagara*" on the ground that the "*Georgia*" was formerly a belligerent ship, and in the service of the Confederate States, as the celebrated cruiser of the same name.

The "*Georgia*," it appears, was under orders for Lisbon, having been chartered by the Portuguese Government for the purpose of conveying passengers between that place and the African coast

or the West Indies. She had been regularly fitted up for this traffic, having accommodation for thirty first-class and twenty second-class passengers. There is reason to believe that the American commodore was kept informed of the object of the destination of the vessel, and that she had been closely watched at Liverpool. This was her first voyage under her new ownership, and her crew had all received a month's pay in advance. Nothing unusual occurred till she arrived about twenty miles off Lisbon, when the "Niagara" was seen apparently waiting for her. Captain Withycombe did not deviate from his course until brought to with a couple of shots across his bows. He was shortly afterwards boarded by an armed boat's crew, in command of an officer of the "Niagara," who requested his attendance before the commodore. He protested against the insult which had been offered to the flag under which he was sailing, and insisted that as the "Georgia" was a British ship engaged in legitimate and peaceable traffic, no right could exist under which his course could be arrested. Upon getting on board the "Niagara," the commodore explained that it was his duty to seize the "Georgia," but that he desired to cause Captain Withycombe and his crew as little discomfort as possible. The ship's papers were then taken possession of, and the crew detained as prisoners till the "Niagara" reached Dover, when they were landed and conveyed to the Dover Sailors' Home, where they were kindly received.

The "Niagara" a magnificent steamer, resembling a little our "Himalaya," saluted on bringing up in the bay, a compliment which was returned by the artillery from the Castle batteries. Soon after landing Captain Withycombe and his crew, she steamed off in the direction of the Downs.

30. INAUGURATION OF THE PERTH ALBERT MEMORIAL.—The royal train arrived in the general station, Perth, at 8.38 a.m., and Her Majesty was received by the Earl of Mansfield, Viscount Strathmore, Viscount Dupplin, Hon. A. Kinnaird, M.P., Sir John Richardson, Sheriff Gordon, and the Rev. Dr. Duff, D.D., Lord Provost Moss of Perth, Lord Provost Lawson of Edinburgh, &c.

At 9.45 Her Majesty proceeded to inaugurate the statue of the late Prince Consort. The procession was led by the Lord Provost and magistrates, the sheriff of the county, the members of the Town Council and Convener Court, and the members of the Memorial Committee in carriages, &c. Then followed in carriages Her Most Gracious Majesty, the Duke and Duchess of Saxe-Coburg Gotha, the Princess Helena, the Princesses Louisa and Beatrice, Prince Leopold, and the Marchioness of Ely, Sir Charles Wood, and Sir Charles Phipps. Major-General the Hon. A. Wood, and Lieutenant-General C. Grey, Equerries in Waiting, were on horseback. Her Majesty was accompanied from the station to the Inch by a squadron of the 15th Hussars, and a guard of honour awaited her at the site of the Memorial. The

route was lined by infantry, and on the streets, as well as on the North Inch, was a large concourse of spectators. In front of the statue the royal stand was erected, which was profusely decorated with flowers and evergreens. A short prayer having been offered by the Rev. J. A. Bardon, the following address was presented to the Queen:—

“May it please your Most Gracious Majesty: We, your Majesty’s dutiful subjects, the Lord Provost, Magistrates, Town Council, as representing the community of the city of Perth, beg leave to approach your Majesty with the renewed assurance of attachment to your Majesty’s person, family, and throne. At all times gratified by your Majesty’s visit to our ancient city, we feel especially honoured by the kindness and condescension with which your Majesty has been pleased to grace by your Royal presence the interesting ceremonial which is now to take place. May the memorial this day to be inaugurated be an enduring testimony of gratitude, affection, and respect! May it stimulate the men of coming generations to the practice of those virtues which showed forth so conspicuously in the character of him whose name it commemorates! Assured that such will even no less command the praise and gratitude of the living than secure the admiration and applause of posterity, we feel that no inauguration of our city’s memorial of ‘Albert the Good’ can be more appropriate or graceful than that which proceeds under the auspices of the equally good and gracious Sovereign to whom the lamented Prince stood connected by the nearest and dearest of human ties, and under whose just, beneficent, and exemplary rule her subjects have made unprecedented progress in every thing fitted to render a nation great, prosperous, and happy. That your Majesty may be long spared to sway the sceptre of these realms, and to be a blessing, a guide, and an example to a contented, loyal, and devoted people, is our sincere and earnest prayer.”

The statue was then uncovered, and the Queen was pleased to express her admiration of it. Her Majesty then conferred the honour of knighthood on Lord Provost Ross. The band having played the National Anthem, a royal salute was fired from a battery of guns stationed on the north end of the Inch. Her Majesty then returned to the general station by a different route, and left Perth by the Scottish North-Eastern Railway for Balmoral. Her Majesty was welcomed during her progress through the city with the greatest enthusiasm. Her Majesty and the Royal family arrived at Balmoral at 4.30 p.m.

— APPREHENSION OF FRANZ MÜLLER AT NEW YORK.—The “Victoria,” on board which Müller, the suspected murderer of Mr. Briggs, had taken passage to America, reached New York on the 24th.

Müller was at once identified and arrested, and was brought the following day before the City Marshal. He denied the charge, stating he could prove he was not the murderer, and was



remanded until the next day, when the usual investigation under the Extradition Treaty was opened.

Inspectors Kerrissey and Tanner, and Mr. Death, the jeweller, were examined, and evidence was given of the finding in a box belonging to the prisoner of the hat and watch stated to be those of Mr. Briggs.

Commissioner Newton then delivered his decision, stating that under the circumstances he was constrained to grant a certificate and commit the prisoner.

Müller shortly afterwards was taken on board the "Etna," under the charge of Inspector Tanner, and was brought back to England<sup>1</sup>.

## SEPTEMBER.

3. EMBARKATION OF THE PRINCE AND PRINCESS OF WALES FOR DENMARK.—The Prince and Princess of Wales left Abergeldie-house, Aberdeenshire, about nine o'clock, and, posting to Aboyne, took a special train there for the south. The train consisted of a saloon carriage of the London and North-Western Railway and three first-class carriages. The youthful Prince Albert Victor was in the saloon carriage with his parents and nurse. At Aberdeen the Royal train was taken charge of by the directors of the Scottish North-Eastern Railway. The train was timed to perform the distance from Aberdeen to Dundee in two hours, and it arrived at Broughty Ferry about eight minutes before three o'clock. Owing to the detention at Broughty, Dundee was not reached till about twenty minutes past three. A very cordial cheer greeted the Prince and Princess on their entering the arcade of the station,—all the more hearty, perhaps, that their coming had been scarcely hoped for. It was some time before the Royal pair could alight; for Lord Camperdown's carriages, which had been sent down to Broughty, though making a rapid return by the road, had not yet arrived. At length all was ready, and a procession, consisting of the carriages of the sheriff, magistrates, and council, and of the Royal party, emerged from the station amid the boisterous cheering of the multitude. The scene presented was one of the most singular that probably Royal eyes have witnessed. The populace, eager and loyal, were by no means *en fête*. The workpeople from the spinning mills, the manufactories, and the dockyards had just been released from labour, with all the smoke and dust of the day, and even of the week upon them. It was not a day of ceremonial display, and as regarded appearance the Royal party had just to take the people as they found them. The better classes were so far out-

<sup>1</sup> See Chronicle for July, *ante*, and for September, *post*.

numbered that their presence in the reserved places could scarcely be said to vary the character of the gathering. But rough as the multitude looked, their display of loyalty was strenuous and unstinted. It was a hard fight indeed for Lord Camperdown and Lord Duncan, who walked on either side of the Royal carriage, to ward off the crowds that encumbered and blocked the wheels; but there was very little of rude intrusion, the foremost of the crowd being impelled forward by a force from behind over which they had no control. Strange to say, the magistrates had placed no barriers, excepting in Dock-street and at the turning-points, and there being no military, only a small body of police and of special constables, the crowd were absolutely left to keep the front themselves. This omission was productive of no little alarm to those who weighed the possibilities of the moment, but to the infinite credit of the people there was almost no infraction of the lines, unless owing to the pressure from behind. The weather had threatened rain in the afternoon, and a heavy shower had fallen; but it became fair during the Royal passage throughout the town. The spectacle presented at every turn was animated in the extreme. The ample breadth of Dock-street, and the open place of the High-street were literally covered with the human swarm, and the narrower streets were totally blocked up. The carriage being open, every one had a good view or a fair chance for it, and as the Royal party advanced, a ringing cheer and a stream of people accompanied them. The square of streets marked out for the Royal route was passed through in about a quarter of an hour, and at a quarter to four the Royal carriage passed under the triumphal arch at the Queen's Quay, commemorative of the Royal visit of 1844. Within the archway and down the quay, which projects at a right angle from Dock-street, the Volunteers were ranged as a guard of honour, and at the jetty the band was stationed and received the Royal pair with the notes of the "National Anthem." At the jetty another delay took place, the barge of the "Osborne," which had gone down to Broughty, not having yet returned. At length, plying its ten oars vigorously and displaying the Royal standard, the barge came alongside. During nearly all this detention, there was a heavy fall of rain. As the barge moved away a cordial cheer was once more raised, uttered, no doubt, with best wishes for a safe and speedy return. About half an hour afterwards another barge came alongside for the youthful Prince, who, in charge of his nurse, had been driven quietly and unobservedly from the station; but, to the few who enjoyed it, the glimpse of the Royal baby, with its sweet face and healthy looks, was deemed not the least part of the day's gratifications. About half-past four o'clock an artillery salute betokened the fact of the safe arrival of the Prince and Princess on board the "Osborne," but nearly an hour elapsed before all the luggage was got on board. At length the "Osborne," with its companion vessels,

the "Salamis" and the "Medusa," got under steam and bore out to sea, passing the bar of the river at Broughty shortly before six. The Royal squadron was accompanied down the Firth by nearly all the steamers at the port, each with large numbers of passengers, and several of the larger ships convoyed the Royal party for about ten miles of the way.

6. The Prince and Princess of Wales, with the young Prince Victor, arrived at Elsinore. Their Royal Highnesses' vessel was escorted by the "Medusa," and they were met some miles north of the town by the frigate "Aurora," having Sir Augustus Paget, the English ambassador, on board.

A Danish squadron lay in the roads of Elsinore, under the command of Admiral von Dockum, consisting of the liner "Skjold," the frigates "Sjælland," "Fyeland," and "Tordenskjold," the iron-clad corvette "Dannebrog," the corvettes "Dagmar" and "Thor," the iron-clad schooners "Absalom" and "Esberne Snare," with the paddle-wheel "Holger Danske." When the English ships appeared, the Danish sailors manned yards, and the vessels exchanged salutes with the Castle of Kronborg, the bands on shore playing "God save the Queen" and "Rule Britannia" alternately, while the musicians of the "Osborne" returned the national melody of "Kong Christian stod ved hoier Mast." The Royal yacht had the Dannebrog hoisted at her foremast, and steamed into the harbour at about half-past twelve. During her entrance the Royal pair stood upon the quarter-deck waving their handkerchiefs to the crowd assembled on the shore.

The King and Queen, with the Crown Prince and Princess Dagmar, attended by a numerous suite, had reached the harbour shortly before the "Osborne" arrived. The Royal family at once went on board the yacht to greet their relatives. As soon as King Christian stepped on board, the Danish Royal flag was run up beside the Royal standard of England at the main. Half an hour afterwards the "Osborne" steamed up to the landing-place, where the National Guard of the town and a detachment of the 15th Infantry Regiment were paraded, and the Royal guests landed amidst the most enthusiastic cheers from the crowd. The Prince of Wales led the Queen, while King Christian escorted his daughter, the Princess. The landing-place and the streets through which the *cortége* had to pass were adorned with flowers, garlands, and flags; all the ships in harbour were richly dressed with colours, and a large triumphal arch had been raised upon the road leading into the town. Upon one side of the arch was a gigantic "Velkommen," and the initials of the Royal couple; on the other the initials of King Christian and the Queen.

The Prince and Princess were received upon their landing by the authorities of the town, who bade them heartily welcome to Elsinore. Councillor Obvik, the burgomaster, made an eloquent speech, in which he alluded to the grievous misfortunes which had broken over the country since the Princess's departure. Abandoned



as Denmark was by all the world, and crushed by overwhelming superiority, the speaker yet hoped that the visit of the Princess, accompanied by her husband and the pledge of her affection, and attended by the love and esteem of the entire English people, would prove the herald of brighter days to her Royal parents and her beloved native country. The speech produced a considerable effect upon the bystanders, and few who heard it were able to refrain from tears.

The Princess wore a grey dress and white bonnet, and looked rather pale, though pleased and happy. The appearance of the Prince, on the other hand, showed that he was in excellent health, and his agreeable manners at once gained the goodwill of the spectators. Repeated cheers having been given for the Royal couple, for the little Prince, who was dressed in blue and white, and for the King and Queen, the party proceeded in court carriages to the Castle of Fredensborg, two Danish miles distant.

Here they arrived at three o'clock, and were received by the Grand Duke Nicholas of Russia, who had left Copenhagen a short time before, and the grandfather of the Princess Alexandra, Landgrave Wilhelm of Hesse. In the great entrance-hall, of striking proportions and decorated with paintings in honour of the peace which is associated with the foundation of the Castle, a guard of honour of the Royal Horse Guards, dismounted, was drawn up.

To bid the Royal guests welcome to the palace, a distinguished party assembled on the steps of the terrace. This included, among others, the grandfather of the Princess of Wales and brother of the Duchess of Cambridge, the Landgrave of Hesse, the Princess Marie of Hainault, sister of the Queen of Denmark, and her daughter, the Princess Hilda of Hainault, Princess Thyra of Denmark, General Oxholm, the Danish State Steward, the Master of the Horse, the Countess Reventlow, &c. In the suite of the Prince and Princess of Wales were the Earl and Countess Spencer, the Countess De Grey, Lady-in-Waiting, General Knollys, Colonel Keppel, Mr. Meade, Dr. Sieveking, and Dr. Minter. Into the reception at Elsinore a public character necessarily entered to some extent, but at Fredensborg it was altogether a family party. With the exception of the military and servants of the household, there were not half-a-dozen spectators, admitted by special favour, who were unconnected with the Royal family. The greeting which the Princess received on alighting showed that however warmly she may be appreciated and admired in England, in Denmark, where she must have been longer and more intimately known, the affection felt for her is even stronger. The Prince of Wales was likewise most cordially welcomed by all the assembled members of the family; and after the officers of the guard, &c., had been admitted to the honour of kissing hands, the Royal party withdrew into the interior of the palace. The day was unfortunately marred by several very heavy showers, but although one of these preceded the arrival, and another immediately followed the housing

of their Royal Highnesses, there was fortunately an interval of ten or fifteen minutes, during which the weather relaxed its severer features, as if to enhance the pleasure with which the Princess naturally found herself on the familiar stairs surrounded by all the well-known faces.

8. STATUE OF THE LATE SIR G. C. LEWIS AT HEREFORD.—The memorial statue, recently erected in the city of Hereford, in honour of the late lamented Minister for War, Sir George Cornwall Lewis, was publicly unveiled by Lord Palmerston, the political chief under whom he had successively filled three of the highest offices of the State. No wonder that on such an occasion a larger concourse of people than "the oldest man in Herefordshire ever witnessed before," thronged to do honour to the deceased, and to welcome at the same time the statesman who had so intimately known and who so fully appreciated his lamented colleague. Lord Palmerston paid a cordial tribute on this occasion to the memory of Sir G. Lewis, dilating on his vast learning, his great talent, his wonderful aptitude for business, his firmness and honesty of purpose, his single-hearted kindness, his genial friendship, and his amiable disposition. The inscription on the pedestal of the statue at Hereford, like the great man whom it commemorates, is simple and unpretending, yet truthful: "Sir George Cornwall Lewis, a wise and honest statesman, a profound scholar, a kind and firm friend." That memorial will be an enduring testimony of gratitude, affection, and respect. It has been formed of materials the most imperishable which the country can produce. May it be as lasting as the good that he whom it represents, was the means of doing; and may it stimulate the men of coming generations, to the practice of those virtues which showed forth so conspicuously in him whose name it commemorates!

9. ACCIDENT ON THE GREAT NORTHERN RAILWAY.—An accident occurred near the Wortley Junction of the Great Northern Railway—the passenger train which left the Central Station, Leeds, at 12.10 p.m. for Bradford, coming into collision with a West Yorkshire coal train. The accident resulted in eighteen of the passengers being injured. About 200 yards past the Holbeck station, where the line branches off on the right hand to Armley and Bradford, and on the left to Wakefield, the points are protected by signals; and about 200 yards further on, at the Armley points, there is another signal-post. As the train approached the first signals, the pointsman exhibited a green flag, on the display of which it became the duty of the driver to proceed slowly, so as to be able to pull up on the shortest notice. Disregarding this caution, the driver proceeded at the usual speed, and only when within thirty or forty yards from the Armley points became aware that a coal train was approaching the points from another direction. He immediately shut off the steam, and did all in his power to stop the train, but finding that a collision was inevitable, he jumped from his engine, and escaped uninjured. The fireman

followed his example, but the guard, whose name is Landon, remained at his post, and by immediate application of the break, tended to slacken the speed of the train. The collision took place exactly at the Armley points. The engines were much damaged, and the first carriage of the passenger train—a third-class one—also suffered from the shock, the buffers being broken, and one of the partitions stove in. Eighteen of the passengers sustained injuries by the force of the concussion; fortunately, only in one case of a serious nature. Mr. Bulmer and Mr. Smith, surgeons, were on the spot shortly after the occurrence of the accident, and attended to the injured passengers, all of whom, with the exception of a woman named Mary Addy—who was sent to the Leeds General Infirmary—were able to proceed to their respective homes. The poor woman, Mary Addy, was seriously injured on various parts of the body. She resided in Beverley, and was on her way to Stanningley, to visit her mother. The coal train had come from Bramley, and consisted of empty waggons, which had to be deposited at the various coal-pits on the line to Wakefield. The driver of the passenger train, by whose negligence the accident occurred, was named Brown, and had been for many years in the employment of the company. The accident caused a very slight obstruction on the line, and the traffic was resumed in about an hour after the occurrence.

10. **FIRST EXECUTION AT LEEDS.**—On a scaffold erected in front of the Leeds Gaol, at nine o'clock, two men—Joseph Myers, aged 44, saw-grinder, Sheffield, and James Sargisson, aged 20, farm labourer, of Laughten-le-Northern, near Rotherham, suffered death at the hands of the public executioner, each having been found guilty of wilful murder, at the recent assizes for the West Riding of Yorkshire, which were for the first time held at Leeds, before Mr. Justice Keating.

13. **EXTRAORDINARY DISCOVERY.**—A charwoman employed in cleaning out the first-class ladies' waiting-room, on the departure platform of the Great Western Railway Station, Paddington, found under a sofa the dead body of a fine female child, in long clothes, and tied up in an apron, the string of which was twitched tightly round the child's neck. Information was at once given to Mr. Durdle, chief inspector of the railway company's police, who ordered the body to be taken to the Paddington Police Station, where it was examined by Mr. J. S. Beale, surgeon, of Porteus-road, Paddington, who said the child was about seven days old, had been remarkably healthy, and had been dead about three hours. At the time the babe was found, there was a lady in an adjoining first-class ladies' waiting-room, who, on being interrogated by Mr. Durdle, stated she had come to the station to see a lady off by the six a.m. train, and that she had been resting herself since that time. The lady gave her name and address, which Mr. Durdle found to be correct, and he allowed her to go at large.



15. BRITISH ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.—The annual meeting of the British Association was held this year in the City of Bath, and opened its proceedings under very favourable auspices. The attendance of members was unusually large, and the Association received a more than ordinary accession to its numbers, a result due partly to the attractions offered by the place of meeting, and to the presence of the many distinguished persons who were to take part in the business of the sections. The President of the year, Sir Charles Lyell, delivered his inaugural lecture to a very numerous auditory, and it was received with great approbation. A lecture delivered by Dr. Livingstone, the African traveller, was another prominent source of interest. The proceedings in the various sections were kept up with spirit, and the character of the papers read well sustained the repute of the Association. The scientific labours of the meeting were agreeably relieved by excursions to Frome, Clifton, Stonehenge, and other neighbouring places of interest, and two sumptuous banquets were given to the members, one by the Mayor of Bath, the other by Mr. Tite, one of the members for the City. The only cloud upon this successful meeting was the melancholy death of Captain Speke, of which we give an account below. Birmingham was fixed upon as the place of meeting for 1865. An account of the principal scientific matters which this year occupied the sections will be found in one of the preceding chapters of this volume, containing the retrospect of Science, Literature, and Art.

16. SAD DEATH OF CAPTAIN SPEKE, THE AFRICAN TRAVELLER.—This distinguished gentleman came to a sad and violent end, while shooting in the neighbourhood of Box, near Bath. It appears that Captain Speke, who was to have taken part in the proceedings of the British Association at Bath on the following evening, was visiting at Mr. Fuller's, of Neston Park, Wilts, his uncle, and had gone out shooting with Mr. George Fuller. After about two hours' shooting it would appear that the unfortunate deceased was getting over a low stone wall, when by some mischance his gun exploded while the muzzle of it was pointed at his chest. The consequence was that the charge entering his body passed completely through, severing the main arteries of the chest, lacerating the lungs, and passing close to the heart. Mr. Fuller, hearing the gun fired, turned round in time to see his friend and relative fall from the wall into the field, and the keeper, who was marking birds at a short distance, seeing his master run towards the deceased, also went up, and found him mortally wounded. He was only sensible for a few minutes. On Mr. Fuller coming up he moved his hand to his chest and said, feebly, "Don't move me." Shortly afterwards he breathed his last. A surgeon was on the spot very soon after the accident, but Captain Speke was dead before his arrival. The deceased was thirty-eight years of age and unmarried.

An inquest was held the next day on the body of the deceased, at Monk's Park, near Corsham, the residence of his brother, Mr.

W. Speke, by Mr. Kemm, coroner for the liberty of Corsham, and a jury composed of respectable inhabitants of the place. The first witness examined was

Mr. George Fuller, son of Mr. Fuller, of Neston Park, who deposed,—About half-past two o'clock I left my father's house for the purpose of shooting partridges. Deceased had fired off both barrels before the accident occurred. About four o'clock I got over a low part of a loose stone wall, at that place about two feet high, and I was about sixty yards from the place when I heard the report of a gun, and looking round, thinking to see some birds, I saw the deceased standing on the same part of the wall I had just got over, without his gun, and shortly after I saw him fall into the field I was then in. I immediately went to his assistance, and found a wound in his chest, bleeding, which I endeavoured to stop. He was then sensible, and spoke to me, but did not long remain so. I stayed with him about five minutes, and then left him in charge of my keeper, Daniel Davis, and went for assistance. I observed the gun lying by the side of the wall in the field that I and the deceased were in. One barrel, the right, was then at half-cock, the left-hand barrel was discharged. I heard very little report, and I should suppose that the muzzle of the gun was very near the body of the deceased when it went off.

Daniel Davis deposed,—I am keeper to Mr. Fuller. Yesterday, a little before four o'clock, I was marking birds for my master and the deceased, who were shooting. At that time I saw the deceased go up to a low part of the wall to get over. He had then his gun in his hand. Almost immediately after I heard the report of a gun, and I looked towards my master, and on seeing him running towards the deceased I went there also. He was then lying by the side of the wall. He had just got over. I found him with a wound in his side, and Mr. Fuller had his hand on the wound trying to stop the blood. I heard the deceased groan once or twice, but cannot say whether he was actually sensible or not. I stayed with him till he died, which was about a quarter of an hour after the gun was discharged. He was not removed from the spot before he died. The gun was a Lancaster breech-loader, without a safety-guard; but I should think the gun was quite safe, and in the same state as gentlemen's guns usually are.

Mr. Snow, surgeon, of Box, was called in to the deceased. Found him dead on his arrival. There was a wound on the left side, such as would be made by a cartridge if the muzzle of the gun was close to the body. There was no other wound. It led in a direction upwards and towards the spine, passing through the lungs and dividing all the large blood-vessels near the heart, but not touching the heart itself. Such a wound would cause death.

The Coroner having briefly addressed the jury on their melancholy duty, and pointed out to them what he considered was the

verdict they should return, the jury unanimously recorded their verdict that "the deceased died from the accidental discharge of his own gun, after living a quarter of an hour." They also appended an expression of sympathy for the family of the deceased in their bereavement, which was a loss both to his family and to the whole country.

It had been expected that at the meeting of the British Association on the following day a discussion would take place between Captain Burton and Captain Speke on that interesting subject, the sources of the Nile, and there was a great rush, therefore, to the section at an early hour. The shocking death of Captain Speke, however, became known to many; and although, probably, this sad intelligence did not diminish the attendance in Section E, it need scarcely be added that it cast a gloom over the whole assembly. Some little delay arose in the assembling of the officers of the section, but soon after 11 a.m. the President, Sir Roderick Murchison, and the Committee entered the room.

Sir R. Murchison, on taking the chair, said he had to apologize for the short delay that had occurred, but when he explained the cause he had no doubt that the explanation would be accepted. They had been in their committee so profoundly affected by the dreadful calamity which had happened to his dear friend Captain Speke, by which he had lost his life, that they felt it would be impossible for him to proceed with the business of the day without endeavouring to elicit from that assembly what he was sure would be the unanimous expression of their deep feeling for the dreadful calamity that had happened, and offering the heartfelt condolences of geographers and travellers to the friends and relations of the late lamented deceased on this most melancholy event. What rendered the calamity the more painful was the circumstance that Captain Speke had intended to address them that very day in reference to his recent very interesting exploration in Africa. With their permission he would move the following resolution:—

"That the geographers and ethnologists of the British Association having heard with profound regret of the fatal accident which has befallen Captain Speke, and by which they have suddenly lost so eminent an associate, resolve that their most heartfelt condolence be offered to his relatives on his being cut off in so awful a manner in the fulness of his strength and vigour."

Sir Roderick briefly stated the circumstances under which Captain Speke had lost his life.

The resolution having been unanimously passed, every person in the room holding up his hand, the business of the section was proceeded with.

17. ARRIVAL OF MÜLLER AT LIVERPOOL.—The "Etna" arrived in the Mersey with Müller on board. She was met by the steam tug "Fury," from Birkenhead, having on board one of the Liverpool detectives. At half-past ten o'clock Müller was landed at



the south end of the Prince's Pier, and was at once conveyed in a cab to the detective office. Police-officers were seated in the vehicle with him, and others followed in other cabs. The excitement in the town from the time the "Etna" came in sight was very great, and it increased as he was being landed and conveyed to the police-office.

Müller himself appeared very unconcerned. No incidents of public interest occurred during his passage back across the Atlantic. He had said nothing about the murder, and none of the passengers on board the "Etna" were allowed to speak to him on the subject. He was shortly afterwards sent on by railway to London. On the arrival of the train at Euston-square, a large crowd had assembled, and great curiosity and interest to see the prisoner was exhibited.

On the 19th, he was taken before the sitting magistrate at Bow-street, and the evidence connecting him with the charge was gone into at length. (The facts stated will more properly find a place in the report of the trial<sup>1</sup>.)

The depositions being completed, the prisoner, when asked what he had to say in defence, replied, "I have nothing to say now," uttering the word "now" with marked emphasis.

He was then committed for trial, and on appearing amongst the crowd outside the court, was assailed with groans and yells.

A coroner's jury, which had been summoned to inquire into the cause of the death of Mr. Briggs, and which had carried on the investigation by several adjournments until after the return of the prisoner from America, having now heard the complete evidence on the case, brought in a verdict of "Wilful Murder against Franz Müller."

19. GREAT FIRE IN THE CITY.—This morning a fire broke out in Gresham-street, one of the densest mercantile quarters in the City of London, which, in little more than an hour, destroyed property and merchandise of immense value, including the more interesting parts of one of the most ancient and stately of the civic halls—that of the Haberdashers' Company. Of the building in which it originated, and which was erected a few years ago, at a cost of some 20,000*l.*, only the bare charred walls and portions of the floors remained, and with it perished about 100,000*l.* worth of valuable materials which were stored within the premises. The damage done to the hall of the Haberdashers' Company was said to exceed 10,000*l.*, and the fire spread to other buildings right and left, destroying property of great value, while nearly 300 people, of whom about 120 are women, were suddenly thrown out of employment by the calamity. Indeed, there has not been a more deplorable destruction of property in the City of London since the great fire which consumed the stock and premises of Messrs. Greatorex and Co., nearly twenty years ago, excepting the memorable conflagration in Tooley-street, which was not locally within the

<sup>1</sup> See the trial of Franz Müller for murder, in the *Remarkable Trials*, *post*.

City. The fire began in the newly-built premises of Messrs Tapling, carpet manufacturers, occupying the site of the first seven houses in the street, and the upper part of which is tenanted by Messrs. Hellaby and Co., warehousemen. Adjoining is Haberdashers' Hall, one of the finest in London, which suffered severely. The banqueting-hall, of which nothing was left after the fire but the four walls, was of fine proportions, being about 60ft. long by 30ft. in width. It was ornamented with portraits, by the first masters, of benefactors of the company, and the arms of other distinguished members of the guild were emblazoned on the windows in stained glass. The lower portions of the walls were panelled in oak, and the front of the gallery which ran across the western end of the hall, was decorated with carved work by the famous Grinling Gibbons. The ceiling was being repainted and decorated at the time of the fire. On the northern side of the hall, and on the same floor, was a commodious court-room; and immediately above, on the same side, a drawing-room, with an elegant corridor, overlooking the dining-hall and approached from each end of the hall by oaken staircases. The ceiling of the drawing-room, which had been lately repainted, was seriously damaged by water, as was much of the costly furniture, and a fine lantern of oak, by which one of the staircases was lighted. The roof and ceiling of the banqueting-hall with the gallery at the western end, were entirely destroyed, and the hall was left open to the sky. All that remained of the roof were a few blackened rafters, which served to show the elegance of its outline and design. Some if not all of the paintings were saved, and two remained uninjured, at the eastern end of the hall. The hall and offices were understood to be insured for 10,000*l.*, but that sum would, it was said, by no means cover the damage. Soon after the fire broke out, there were twelve engines, five working by steam, on the ground, and a full supply of water; but the attempt to save the premises of Messrs. Tapling appears to have been hopeless from the first. The light inflammable materials with which the upper part of the building was stored, burnt fiercely, and the fire spread from floor to floor with inconceivable rapidity. Finding it past hope to save the principal buildings in which the fire was raging, the efforts of the firemen were at length directed to protect the surrounding property, all of which, stored with materials and merchandise of various kinds, were of great value. The flames, notwithstanding, spread to a handsome and costly building in Wood-street, lately erected for Mr. Hugh Jones, a warehouseman in a large way of business, and which abutted at the back on the premises of Messrs. Tapling. At one time the upper part of the scaffolding in front of the new building caught fire, and some of it fell in a blazing mass, but doing no harm to the men working an engine, though one of them had a narrow escape. By four o'clock, when the fire had reached its climax, it shed a brilliant light over the whole metropolis and for miles around.

The flames shot high into the air, lighting up the dome of St. Paul's, and all the neighbouring church spires. The assessors of the assurance offices put down the loss of property, exclusive of the buildings, at from 150,000*l.* to 200,000*l.*

22. MEETING OF THE NATIONAL ASSOCIATION FOR THE PROMOTION OF SOCIAL SCIENCE.—This Association commenced its eighth annual session, at York. Lord Brougham, the President, arrived the preceding day, and was received by the Lord Mayor of York, whose guest he was, during the sittings of the Congress. Many hundred members and associates entered their names at the reception-room, in the Guildhall. Many ladies also enrolled themselves, and several well-known social reformers and philanthropists of the fair sex announced their intention to take an active part in the business of the various sections. Miss Isa Craig was for several days employed in arranging the administrative details of the Congress, a work in which she was effectively seconded by Mr. G. W. Hastings, the general secretary.

The proceedings of the Congress commenced with service in the Cathedral, when an eloquent and appropriate sermon was preached by the Archbishop of York.

Lord Brougham, as president of the Association, delivered the usual introductory address to the members and associates in the Festival Concert-room.

A great number of papers on matters relating to Education, Sanitary Science, the Reformation of Criminals, and other subjects of social interest were read.

Among others was an address on Jurisprudence and the Amendment of the Law, by Sir James Wilde, the Judge of the Divorce Court, which was much admired. On the whole, the meeting passed off with great success.

## OCTOBER.

1. GREAT EXPLOSION OF GUNPOWDER AT ERITH.—Early this morning two gunpowder magazines situated on the southern bank of the Thames between Woolwich and Erith, exploded with terrific violence, killing ten persons, wounding many others, and spreading consternation among the inhabitants of the whole neighbourhood for miles round. Although the scene of the catastrophe is distant about fifteen miles from Charing-cross, the explosion was heard and felt more or less throughout the whole metropolis, and even at places forty and fifty miles from the spot. At first the prevailing idea was that the inhabitants of the metropolis and its suburbs had experienced the shock of an earthquake; but that notion was speedily dispelled, and by noon the exact nature of the catastrophe and its locality were generally known throughout London.



The explosion occurred in a gunpowder dépôt belonging to Messrs. John Hall and Sons, and almost simultaneously in a magazine of smaller size used by the Lowood Company, both of them located in the Plumstead marshes, on the margin of the Thames, two miles west of Erith, and about an equal distance from the village of Belvedere, on the North Kent Railway. Here, on about twenty acres of ground, separated for obvious reasons from the rest of the neighbouring inhabitants, but in the immediate vicinity of the scene of their daily labour, lived with their families in three cottages a few working men, engaged in a perilous calling. One was George Rayner, storekeeper in the dépôt of Messrs. Hall, who was a married man with a family; and another, named Walter Silver, also married, acted in a similar capacity under the Lowood Company. Each of these had a cottage to himself, about 100 or 200 yards from the magazines; and the rest, who were men employed in a larger dépôt, occupied a cottage in common. The Messrs. Hall have been engaged in the business of making gunpowder for more than fifty years. They have a large factory in the neighbourhood of Faversham, in Kent, occupying about two hundred acres of ground, part of the works at which were erected in the reign of Elizabeth. Their magazine at Belvedere was a substantial building, about fifty feet square, and consisting of two floors. It was erected five or six years ago, at a cost of about 3000*l.*, and around it were eighteen acres of land bought by the firm with the view to isolate the building. For miles at that part of the river there is an embankment, which protects the low-lying marshes from inundation. Both their dépôt and that of the company stood close behind the embankment, and each had a wooden jetty projecting into the river, to facilitate the loading and unloading of gunpowder. From the accounts rendered by the proprietors of the magazines, it appeared that the whole quantity of gunpowder which was exploded amounted to about 1040 barrels, or 104,000*lb.*, there being 100*lb.* to a barrel. Of this, 75,000*lb.* were stored in the magazine of Messrs. Hall, 20,000*lb.* in their barges which were being unloaded at the time of the explosion, and 9000*lb.* in the dépôt of the Lowood Gunpowder Company, commonly known as that of Messrs. Dape, Barker, and Co., the previous owners. The Lowood Company were expecting a large supply of powder from their mills at Newton-in-Cartmel, Lancashire, which had fortunately been delayed through export and other orders deliverable at their other dépôts. Their magazine at Belvedere was about forty feet long by thirty feet in width, and consisted of two floors. It was erected about four years ago, and stood at a distance of sixty or seventy yards from that of Messrs. Hall. No one had entered it on the morning of the explosion. It should be understood that these were places used entirely for the storage of gunpowder and in no sense for its manufacture, and that none but experienced men were employed at them. Rayner had been the storekeeper there of Messrs. Hall for twelve years, and was accustomed to the manipu-

lation of gunpowder from his boyhood. He was described at the inquest as an intelligent and most efficient man. Between the mills at Faversham and the magazine at Belvedere, a distance of about thirty miles, the gunpowder is conveyed in sailing barges, each navigated usually by a couple of men; and two of these were moored alongside the jetty on the morning of the explosion, discharging cargo. The gunpowder, carefully packed in barrels, is borne on trucks with copper wheels along wooden rails, in order to preclude the possibility of a spark from friction, and the operation is conducted with other precautions, such as the wearing of list slippers by the men engaged in it. By the testimony of many witnesses, the explosion occurred at between eighteen and twenty minutes before seven o'clock in the morning, and it is presumed that Messrs. Hall's men were then unloading one of the barges. There were three distinct explosions immediately following each other, and the belief of persons conversant with the trade is that the first took place on board one of the barges; that the terrific concussion produced by it tore asunder the larger magazine, and some of the burning fragments alighting in it caused an explosion infinitely more appalling, and which was instantaneously followed by the explosion of the smaller dépôt. At Erith and Belvedere, where the shock was most felt, the feeling produced by it was one of intense alarm. At Woolwich, about four miles off, the impression was that the powder-works in the Arsenal had exploded, and the wives and families of the artisans at work there rushed to the spot in a state of consternation. They were not allowed to enter the place, and they stood terror-stricken in the square in front. Immediately after the calamity an immense pillar of smoke rose from the spot high into the air, thick, black, and palpable, with a huge spreading top, and about a quarter of an hour elapsed before it died away.

So soon as it was supposed to be safe to do so, people from Erith and Belvedere proceeded to the spot, and ventured to explore the ruins in search of any one that might be living. Of the magazines themselves not a single stone remained upon another, the very foundations being torn up, and the site of that of Messrs. Hall marked by huge fissures and chasms in the earth, immense lumps of which had been scooped out and hurled about the adjacent fields. The barges, with the jetty, had been split into fragments, and an enormous rent had been made in the embankment itself, exposing miles of country to the peril of inundation. Of the cottage of the foreman, Rayner, nothing was left standing but a bit of brick wall and a doorway. The lifeless bodies of the unfortunate man himself and of his son, a boy, were found close by, and his wife and child were dug out of the ruins alive, but hurt in various ways. A child, niece of Silver, foreman at the other dépôt, was killed, while he himself escaped with some slight injuries. Those of the sufferers, nine in number, who were still living, were conveyed with as much care and speed as possible to Guy's Hospital.

When the explosion occurred, it was a most fortunate circumstance that the tide was low ; but there were only about four hours wanting to the time of high water. The explosion had forced the greater portion of the materials of the embankment, in the 300 feet of length acted upon, into the river, only throwing up on the fore-shore a low mound, not capable of affording any protection. In the 300 feet gap which was formed, the space which had been occupied by the formation or base of the embankment-wall was filled with broken and shapeless masses of earth or clay, which had formed part either of the consolidated mass of the wall, or of the site of the magazines. The few men who were engaged on another portion of the embankment were at the moment the only hands available for work obviously necessary for the exclusion of the rising tide, but which to be finished, not in the most substantial way, in three or four hours' time, demanded the labour of many hundred hands.

Among the residents of Erith, who were all roused by the explosion, was Mr. Lewis G. Moore, an engineer who has been connected with Mr. Furness, in the contrivance of some of the means of executing the work of the Thames Embankment. He immediately saw and appreciated the impending calamity, and recognized the necessity of setting to work a much larger force than that of the few men who were at hand. He at once despatched his card, with a hurriedly-written request, to the resident engineer of the Main Drainage Works, or his representative, to bring immediately all the men, with barrows, picks, spades, and other requisite tools, that he could muster.

The explosion had startled every one at Plumstead. Mr. F. R. Houghton, one of the engineering staff of the Metropolitan Board, and representing Mr. Grant and Mr. Bazalgette, is resident there ; and he was aroused, and was soon on his way. He was met by Mr. Moore's messenger. The men at the Outfall works started, about four hundred in number, on the moment that Mr. Houghton gave the order. Whilst Mr. Houghton and Mr. Webster's navvies were on the way, and immediately upon their arrival, Mr. Moore directed the filling-in of the interstices of the lumps of earth with puddle, rather as the best extemporized foundation, than as a sufficient substitute for a properly consolidated one. The work was punned in and rammed as well as time would permit ; but it became evident almost immediately to Mr. Moore and Mr. Houghton that the force under them would be insufficient. They then forwarded a communication to Major-General Warde, the commandant at Woolwich ; and by half-past nine o'clock, detachments of Sappers and Artillery, to the number of about 1500, were on the ground, with all the appliances of military engineering. They were under the immediate command of Colonel Hawkins, of the Engineers ; but General Warde was also present. They were followed by the 5th Fusiliers and the Marines, some of the force being necessary to keep the ground ; for, as the day advanced, great crowds were attracted from the surrounding places and from



London. A considerable amount of work had been done before the troops arrived ; but it was necessarily hurried, as it was essential to keep above the rising tide. The work contended with the tide, to use the words of those who were present, "inch by inch ;" but it was kept always above the tide.

The troops brought with them a few thousand bags, such as, filled with sand, are used in the construction of sand-bag batteries ; these were filled with clay, which was fortunately to be had by digging ; and the bags were passed from hand to hand, and laid in the form of an arch on plan, to make the landward-side of the upper half of the embankment, puddle being filled in between them, and the whole being rammed down, now in a more complete manner than had been possible at first. At length, about two or three o'clock, the work was completed, having withstood the tide. In the course of the night it sank, as had been expected, six or eight feet, and water trickled through. The military and navvies were actively occupied backing up and ramming the work on the following day, when the embankment was exposed to the waves agitated by a heavy gale, and stood the test. On the 3rd the responsibility passed into the hands of the Dartford Commissioners, when a band of navvies were engaged, still further consolidating ; and the work was reported as secure as the original wall. During the rest of the week, however, there were still two hundred navvies engaged, and it was deemed prudent to fill up the hole in the foreshore, caused by the explosion of the barges, with chalk stone, of which 100 tons were thrown in.

As far as could be ascertained, the loss of life by this catastrophe amounted to five persons killed on the spot, five others missing, and reasonably presumed to have been killed, and three who died in Guy's Hospital ; the number more or less seriously wounded was twelve. After a long investigation the coroner's juries both at London and at Erith arrived at a verdict of "Accidental Death."

5. DESTRUCTIVE HURRICANE AT CALCUTTA.—Calcutta was visited by a hurricane or *cyclone* of terrific violence, which caused a most extensive destruction of shipping and property, as well as considerable loss of life in the city and harbour. It appears that the weather on the 4th was showery, with light and variable winds, and occasionally some lightning ; but it was not till an hour after midnight that the barometer began to fall, the wind being then light from the N.E. In the morning the wind gradually freshened, with squalls and heavy rain, till about ten o'clock, when it veered to the east and blew with increased fury. Between eleven and twelve o'clock, the wind having a southerly direction, it became evident that a true *cyclone*, or revolving storm, to which the site of Calcutta is peculiarly exposed, was about to visit that city, yet with more terrible violence than ever before. With a noise like distant thunder it came on in two or three minutes, tearing up trees by their roots, carrying off the roofs of the houses, overturning walls and buildings, and heaping up masses

of ruin in the streets and the roads, where neither foot nor carriage passengers could make their way. This continued for two or three hours, by which time the eastern and southern suburbs of the city, and those parts of it to the westward, which, from their proximity to the Maidan and the river, were the most exposed, were, more or less, a wreck. Except the cocoa-nut and other palms, scarcely a tree was any where to be found standing. The beautiful avenues in Fort William were entirely destroyed, and the Eden Gardens turned into a wilderness. In Tank-square the trees and shrubs were blown away, and in many parts the iron railings torn up and overthrown. The damage done to buildings was considerable. The roof of the Free School was blown away; the upper part of the Roman Catholic Church in the Bow Bazaar-road was destroyed, as well as the steeple of the Free Church of Scotland; the minarets of the Mosque in Dhurumtolah were all blown away; St. James's Theatre was unroofed and nearly destroyed; the roof of the cathedral was much damaged; the sheds of the East Indian Railway Company were unroofed. In fact, scarcely a house in Calcutta escaped without injury, while the native huts, especially in the suburbs, were almost all blown down. But it was on the river that the storm was attended by the most disastrous consequences. It should be observed, that the gale did not attain its greatest fury until it had gone round, which it did very gradually, to the south. Whilst blowing from the east, and therefore across the stream, the waves were kept down by the wind, and the commotion of the water was not great; but when the wind set due south, its violence was greatly aggravated by the billowy state into which the river was lashed. The boats moored all along the banks had sustained very little damage previous to this crisis in the storm, but as soon as it occurred they began rapidly to fill and go down. It was a full spring tide, and when this change in the direction of the wind took place, the waves encroached on the strand, and at last covered it with a flowing stream, which bore a miscellaneous freight of native bedding, mats, chests, and fragments of wreck. In the port of Calcutta the fixed moorings are, with one or two exceptions, on the left or eastern bank of the river; and the cyclone, from the point from which it came, caught the vessels full broadside on, and its violence was such as no moorings or tackle could resist. Tier after tier of vessels broke adrift, in most cases taking moorings, buoys, and tackle with them, and drove about in clusters of four, six, and eight, entangled together, and carrying with them ships at anchor in the stream, and every thing else with which they came in contact. Several went down, and nearly all the others drifted on to the opposite bank of the river, generally taking a course up the river, under the influence of the wind at S.E. to S. and a strong flood tide, many of them having travelled as far as six or seven miles from their moorings. To add to the disaster, the flood tide that afternoon was unpre-

cedentedly high, and all the vessels driven to leeward on the opposite bank were carried up as far as high water could float them, so that when the flood retired they were left aground some distance from the river. Of more than 200 ships in the Hooghly, only about ten were left at their moorings after the storm; the rest having been stranded or sunk. Of these many were loaded with grain for Bombay. The scene of confusion upon the river for some hours, while the gale drove this multitude of vessels up the river, can scarcely be described. The steamer "Thunderer," the Peninsular and Oriental Company's steamer "Bengal," and a French ship, "L'Amiral Casey," were fairly lifted up and deposited on shore. Other ships came to a worse fate; the "Lady Franklin," of 1200 tons, sank early in the afternoon, but her crew were saved in boats. The "Govindpore," of 1357 tons burden, was run into amidships and cut to the water-edge. She sank almost instantaneously. The captain and crew were seen clinging to the topmasts yet standing above the water. Great was the excitement of those on shore who were doomed to witness the agonies of drowning men without the means of rendering them any assistance. The distance was too great to throw a rope. The road and shore were lined with all that remained of boats, utterly useless for the purpose required. At this moment a brave sailor, named Edward Cleary, came forward and volunteered to bear a line to the ship. He swam out through the furious breakers and reached the ship after a desperate struggle. One by one all the ship's officers and crew were drawn off to the shore, the captain being the last to leave her. There is reason to fear that several hundred lives were lost with the other European vessels that went down on the river, besides those drowned in the multitude of small native boats, which were overwhelmed with sudden destruction. The loss of life in the town and suburbs of Calcutta was ascertained to be forty-one natives and two Europeans, besides some twenty seriously wounded by the fall of their houses. A lamentable amount of distress was caused by the rise in the prices of all articles of food, which compelled great numbers of the people to live on rice damaged by the heavy rains which succeeded the gale, and which is most injurious to health. The total destruction of thousands of houses also subjected crowds of the natives to exposure to all sorts of weather; and this, combined with the wretched garbage on which they live, would probably engender many fatal disorders. A meeting was held at the Calcutta Chamber of Commerce on the 13th ult. to raise a subscription for the relief of the sufferers.

6. RETURN OF THE PRINCE AND PRINCESS OF WALES TO DENMARK.—Their Royal Highnesses returned from their Swedish visit, and for the second time landed at Elsinore. The passage across from Stockholm was an exceedingly pleasant one, and the weather was every thing that could be desired. The Prince, accompanied by Lord Spencer and others of his suite, started for a day's sport



at Hortrop, on the Malar Lake. The scenery of the country traversed was very grand, and was greatly admired by the travellers. The Royal party, after much difficulty, succeeded in killing one of the magnificent elks that are still occasionally to be met with in Sweden, but which are fast disappearing before the advance of settlement and civilization. The Prince, when with the shooting party, wore the hat and feathers and the high boots which form the costume of the society of which the King of Sweden is President. The departure from Stockholm of the Prince and Princess of Wales took place on the 4th; they travelled from Stockholm to Gottenburg by rail, and almost immediately proceeded on board the "Osborne," which lay alongside the quay. The "Osborne" started at daybreak, and arrived at Elsinore on the evening of the same day. The two days that succeeded the landing at Elsinore were passed in comparative quiet by their Royal Highnesses,—the 6th being the anniversary of the death of the late and the accession of the present King of Denmark. Prince and Princess Oscar paid a short visit to their Royal Highnesses at the Fredensborg Palace, and on their departure the "Osborne" was illuminated, and a discharge of blue lights and rockets took place. On the 8th another shooting party was formed for the forest of Hornbek.

## NOVEMBER.

7. RETURN OF THE PRINCE AND PRINCESS OF WALES FROM DENMARK.—The Royal yacht "Osborne," Commander George H. K. Bower, having the Royal standard flying at the main, made her appearance off Woolwich Arsenal, at a quarter before two p.m., having on board the Prince and Princess of Wales and suite, on their return to England. The "Osborne" sailed from Antwerp at noon on the 6th, and, with the exception of a slight gale which rose soon after midnight, the passage was calm and favourable. The yacht arrived and anchored off the Girder Light, near Ramsgate, at half-past two this morning, and awaited the mid-day tide to proceed up the river. A notice to that effect was telegraphed to the authorities at Woolwich, from Captain Bower, at an early hour in the morning. Captain Gordon, C.B., superintendent of military stores, then gave orders for the preparation of the T pier, so that a landing might be made with comfort at low tide. The arrangements were admirably executed, the lower platform steps and pier throughout being decorated with bunting and carpeted with clean tent cloths. The tide had begun to ebb, and the yacht,

assisted by a couple of tugs from the dockyard, succeeded, after some little delay, in turning and facing the stream, and was brought up close alongside the pier. Prince Arthur, who had ridden down from the ranger's house in Greenwich Park (attended by Major Elphinstone, R.A.), then stepped on board and spent a few minutes with the Prince and Princess previously to their coming on deck. On their appearance soon after, at the head of the gangway, they were received by General Warde, C.B., commanding the garrison, attended by his aide-de-camp, Captain Williams; Major Ord, Acting-Major of Brigade; Captain Nangle, Deputy-Assistant-Quartermaster-General; Commodore Dunlop, C.B., and his secretary, Mr. Ponsonby; Captain Gordon, Superintendent of the Store Department; Lieutenant-Colonel Clerk, Lieutenant-Colonel Shaw, and Captain Boyle, superintending officers of the Royal Carriage-square; Captain Majendie, Instructor Royal Laboratories, and other officers in full-dress uniforms. Their Royal Highnesses both shook hands cordially with General Warde, and having remained some minutes in conversation on the maindeck of the ship, they were escorted by the officers above named to their carriages at the entrance of the pier. Both the Prince and Princess appeared in excellent health, and graciously acknowledged the salutations of a number of spectators, who had assembled on the landing-place. A Royal salute was fired from the flagship "Fisgard," on the "Osborne's" being sighted in the offing at Woolwich, and the Royal standard was hoisted on the Arsenal flagstaff, but no other demonstrations were observed, in consequence of an official order from the War Department, desiring that the reception should be "as quiet as possible," by the Prince's special desire. They were attended by Mrs. Grey, Lieutenant-General Knollys, Colonel Keppel, and Dr. Minter (Inspector-General of Hospitals and Fleets), and a large number of servants. Their Royal Highnesses, accompanied by Mrs. Grey, left Woolwich in the first carriage, and drove direct to London, and the remainder followed.

8. OPENING OF SOUTHWARK-BRIDGE.—This day, another wide and much-needed thoroughfare into the City, was given to the public by opening this bridge toll free, for a period of six or twelve months at least, if not for perpetuity. The negotiations and arrangements which at last brought about this most desirable result had been for some time in progress. The shareholders were not at all reluctant to give over upon easy terms a structure which had cost them very much, and which had paid them almost nothing at all, and seemed unlikely in the future to be more remunerative than during the past. They accordingly offered it to the Bridge-house Estate Committee, for the small sum of 200,000*l.*, which, considering that it cost up to the time of its opening in 1819, 660,000*l.*, and is as good now as the day it was first used, was a very liberal offer, especially when we recollect that the mere approaches would, at the present day, cost as much as the whole

work did forty-five years ago. The directors of the bridge company agreed to let the corporation have the public use of the bridge, free of toll, for a space of six months, for the sum of 1834*l.*, or for twelve months for 2750*l.*, the bridge company undertaking all necessary repairs of roads, &c., during either the six months or year. With this fair offer the corporation closed at once, and the result was the public opening of the bridge. Until now it had never been of use to either shareholders or public. Southwark-bridge is the oldest of all our metropolitan bridges, except Vauxhall, which was opened in 1813, whereas Southwark was not finished till more than six years later. The span of its magnificent centre arch is one of the largest known to exist, and was for years considered an engineering marvel. The ribs of all the three arches are arranged as nearly as possible to the constructive features of a stone bridge—a new principle for a cast-iron arch, but one which time has proved very successful. The first stone was laid by Admiral Lord Keith, on the 23rd of May, 1813, and it was opened at midnight, on the 24th of March, 1819. Shortly before noon on this day, the Lord Mayor, in state, accompanied by the Lady Mayoress, and attended by the Mace and Sword Bearers, drove to the entrance of the bridge on the City side. The members of the Bridge-house Estate Committee, and other City dignitaries, also attended in their carriages. Upon the arrival of the Lord Mayor and the various civic officials on the City side of the bridge, the directors of the company advanced to meet them, and the chairman briefly thanked his Lordship for his kindness in opening the bridge. His Lordship replied that it gave him great pleasure in assisting at the ceremony, as he felt sure that the bridge would, when opened free of toll, greatly facilitate the passage of traffic to and from the City, and so prove of essential benefit to the public.

The temporary barrier was then removed, and the Lord Mayor and Members of the Bridge-house Committee drove over the bridge to the Southwark side, and turned round. The barriers at each end were then removed.

—DINNER GIVEN BY THE ENGLISH BAR TO M. BERRYER, THE EMINENT FRENCH ADVOCATE.—This evening, M. Berryer, the illustrious French advocate and statesman, who was staying in England on a visit to Lord Brougham, was entertained by the Bar of England at a sumptuous banquet. The Benchers of the Middle Temple lent their hall for the purpose, and this splendid old chamber, so rich in historical and legal traditions, scarcely ever held a more numerous or enthusiastic assembly than was gathered in it on this occasion. More than 400 guests sat down to dinner, and had there been sufficient accommodation, at least 100 more would have been present, whose application for tickets the committee were obliged to refuse. The Attorney-General took the chair, and at the chief table, on his right and left, were M. Berryer, M. Desmarest (the *bâtonnier* of the French Bar), Lord Brougham, Lord Kingsdown,



Lord Chief Justice Cockburn, the Chancellor of the Exchequer, Lord Justice Knight Bruce, Vice-Chancellor Wood, Vice-Chancellor Stuart, Mr. Baron Martin, Mr. Baron Pigott, Mr. Baron Bramwell, Mr. Justice Blackburn, Mr. Justice Byles, Mr. Justice Mellor, the Solicitor-General, Mr. S. H. Walpole, Q.C., M.P., Mr. Rolt, Q.C., M.P., Sir F. Kelly, M.P., Sir E. Ryan, &c.

Nearly all the leading members of the Bar were present, and there probably has not been such a gathering of the legal profession in the memory of the oldest member of it. After the health of the Queen and the Prince and Princess of Wales had been drunk with all the honours, the Attorney-General proposed as the next toast "The Health of the Emperor of the French."

The Attorney-General then said,—“I have now to ask you to do yourselves the honour of drinking the health of the illustrious citizen, the distinguished patriot, the great orator, and the unrivalled advocate, whom we have the honour of seeing among us this evening. The great assemblage which surrounds me is, I am sure, far more eloquent in his praise, than any words which I or any one else could utter, and I can venture to tell him, that neither in this country, nor in any country in the world has such an assemblage ever been brought together. Not only is this spacious hall crowded by members of the Bar of England, but we are surrounded by guests whom we have been proud to ask to join us in doing honour to him who has honoured us on this occasion—the flower of our bench of judges, and some of the venerable and famous names who in former days have sat on that bench, whose names will be renowned till the end of time, but who will probably not esteem it the least of their honours to be associated with him on this occasion. It would be vain in me to attempt to do justice to his merits, or to the feelings and motives which have prompted you to invite him among you this evening; but I feel at least that I express some part of the sentiments which animate your hearts, when I say that you have invited him here, because you see in him one who, by extraordinary talents and virtues throughout a long public career, has upheld the dignity of the noble profession to which you all belong. And while we are delighted to recognize in him such conspicuous personal and individual merits, we also are proud that merit so conspicuous justifies us in taking this opportunity of showing our sense of the universal brotherhood which ought to prevail between the Bar of England and the Bar of France, and I trust, of all the civilized world. I rejoice in seeing around me so many gentlemen of our noble calling—a calling which vulgar minds frequently misrepresent and under-estimate, but upon which, in no small degree, depend the rights and liberties both of individuals and nations. It is its high privilege and duty to supply the just weights and balances of the scale of justice, by laying before justice all the considerations which ought to weigh on every side of every question, to stand forward for the weak and miserable, and upon great

occasions, when public liberties are called in question, to stand forward undaunted and assert the public right—a privilege which has been discharged by our ancestors in this country in times past, which we should be ready to discharge again, and which we rejoice to see discharged as it ought to be in every other country. There are three great, inestimable blessings which we in this country enjoy, and which we should be glad to see all the world enjoy, and I venture to say, that where they exist, public liberty cannot be extinguished. They are a free Press, a free Parliament, and a free Bar. In no country in the world has there been a Bar which has deserved greater honour than the Bar of France, and I shall carry your assent with me in saying, that at no period of the brilliant history of that great nation, distinguished as it has been by great names, has there been at the head of that Bar, a more honest, more virtuous, more eloquent, and more able man than M. Berryer. At a time when most of those I see around me were beginning their legal studies, this great man commenced a great public career, which to this day he continues to fulfil. By the side of his father—scarcely less distinguished than himself—he acted as the advocate of Marshal Ney. In the ascendancy of those principles of which he has ever been the faithful advocate—at a time when there was a disposition to make an exorbitant and excessive use of the success of those principles, he stood forward, not only on that unfortunate occasion, but also in defence of other distinguished men, involved in a like misfortune; and I believe it is known to all of you, that M. Berryer, then beginning his great career, ever raised his voice when his political principles were triumphant, in favour of moderation and justice to those whose fortunes were in decline. We have nothing to do with the political vicissitudes of his great country, except to admire the consistency and nobility of the man who bore himself so well under all of them. When his political principles were no longer in the ascendancy, he did not retire calmly from the service of his country. His voice was still raised freely, and yet without the possibility of an imputation that he favoured disorder. When called upon at the bar, he was always found the dauntless and fearless advocate of every unfortunate man who needed his services. It is almost a volume of history to tell how this distinguished man was the advocate of Lamennais, Chateaubriand, the present Emperor of the French, and many others whom it would be tedious to mention. Whatever their opinions were, when they needed a free word to be spoken for themselves, they went to M. Berryer. When the wheel turned round, we find him still not refusing his services to his country in any way—still lifting up his voice as the advocate of freedom of speech, as in the great trial of Montalembert; and we find him still preserving, not only the dignity of his position, but the power and influence and the brilliancy of his earlier days. I feel that I have detained you too long, not only from the pleasure of drinking his health, but of hearing from his lips, that eloquence of which he is the unrivalled

master, and I therefore call upon you to drink the health of M. Berryer."

The toast was drunk with enthusiastic applause.

M. Berryer returned thanks in the French language. The following is an abridged translation of his speech. "Gentlemen," he said, "I can scarcely speak, and you will doubtless believe me when I tell you that I am profoundly moved at this fraternal reception, and at the aspect of this gathering, in the midst of which I find myself in generous England. The embarrassment I experience will hardly suffer me to express appropriately the sentiments I feel. Yesterday, Mr. Attorney-General, I congratulated you, and I again congratulate you and your noble country, on the spectacle it presents of a man who is at the same time the counsel for the Crown and for the nation—a combination which would appear strange in my country, but which conduces to the perfecting of social laws. It is a grand spectacle. Equally great is my emotion when I see united in the same person solicitude for the independence of the Bar and for the independence of the nation. Great and noble indeed is the spectacle, and it carries me back with sadness to what is taking place in my own country. However, it has not always been so with us, and sixty years ago the *avocats généraux* were then called *les généraux les avocats*. In the name of the English Bar, in the name of this great society, you deign to compliment the labours of my life. But what associations rise up to my mind at the mention of the English Bar, where shine Erskine, Eldon, Romilly, and that illustrious man in whom we all glory, and who has honoured me with his friendship, Lord Lyndhurst, who has left as many tokens of his greatness as affectionate regrets; and that other great man near me, who has so kindly desired to associate you with this touching reception—this advocate so illustrious, so eminent, this statesman so distinguished, this orator so eloquent, and, above all, this excellent man, who has devoted the greater part of his life to the advancement of the liberty and the liberal institutions of a free country. I admire in him the union of all these qualities. You have been so good as to recall fifty years of laborious toil, and you give me a touching testimony of honourable sympathy. It is a great day for me, and I can scarcely comprehend this good fortune. If I were in the midst of my colleagues, supported by the associations of fifty years of friendly intercourse, I might fancy I merited these praises. But here, in this new world, near you whom I have never, or, at least, barely visited, I am astounded at this warm reception. I am speaking, however, of myself as if I were the sole object of this solemnity; I forget our chief, our honourable *bâtonnier*, who represents the French Bar. There is, I imagine, in the present meeting a higher, greater, and more pregnant thought—it is an appeal to the Bars of the two countries. I have passed but a short time with you, gentlemen—too short a time, indeed—but during the three days I have been here I have been present at the sittings of the Chancery, Appeal, and Exchequer



Courts, and that presided over by the Chief Justice, and in the proceedings of the judicial investigations I was struck with the position of the Bar—with that perfect independence which was allowed it, and with the familiar conversations which were exchanged between the judge and the counsel—conversations which prevent needless words and superfluous objections in the administration of the law. What majesty lies in this simplicity! But I see in it something more—I see in it a powerful guarantee for the administration of justice. We can only gain, the one and the other, by the exchange of our private ideas, and for that reason I express my most earnest hope that this alliance of the two Bars may be cemented. I do not say that we could offer you the spectacle which you have given us here, for such meetings would not be tolerated with us; but we will not fail to take advantage of English liberty for the benefit of the two nations, for an exchange of generous ideas. It is not a question simply of the protection of private interests; it affects still more the interests of the people. I aspire to see the exchange of our respective ideas; we shall profit by the excellence of your institutions; we shall derive from them a good example. The French Bar has not been called, like yours, to furnish the State with leading men. With us, in the course of an uninterrupted series of revolutions, men who had any self-respect refused to engage in the management of public affairs; and those who had embarked on the stormy sea of politics have taken refuge in a port from their troubles, and have re-entered our profession as the noblest of retreats. Yes, let the exchange of communications between the English and French Bars be perpetuated; let it extend even to all the Bars of civilized nations; let not free trade be confined to commerce; let it be extended to ideas, and we shall be charmed to receive those of England. Draw us to yourselves; welcome us; you have numerous and talented writers, and a powerful press, which we, alas! know not. May free trade reach even journalism. Gentlemen, I drink to the alliance of the two Bars of England and France.”

M. Desmarest (Bâtonnier), who also spoke in French, said,—“I feel emotion as I rise to reply to the toast so friendly and affectionate which has been drunk to the Bar of Paris. The union of the two Bars has been the dream of my existence. When one considers the affairs of this world, even after a banquet so splendid as the present, it is impossible not to recognize that there are in this world two influences—force and justice. I have no desire to speak ill of force. As to justice, it is here that one may be permitted to speak well of it before your glorious present, and before your ancient glory—permit me to add, in the presence also of those two ensign-bearers of right and justice, Lord Brougham and M. Berryer. There is a great similitude in their characters. Both have carried to the highest point the glory of intellect; both have made brilliant figures in public assemblies; both, let me add, are members of the French Academy. I avow that I should be embar-

passed if I had to offer here only the tribute of my own gratitude. But as soon as I was informed of your gracious invitation, I hastened to profit by those legal re-unions authorized in France to inform our advocates of the honour which was done me. All of them, young and old, answered, "Go to England," "Shake hands." I had not time to consult the members of our provincial Bar, but all of them would have held the same language. I see the grand impersonation of the French judiciary world holding forth its hand to the judiciary world of England—a preliminary step to bring about between us a more intimate alliance, according to the noble idea of him who ought to be our perpetual *bâtonnier*, and who is for ever our moral *bâtonnier*. Gentlemen, permit me to say my dear brethren, you have given us the example; be sure that it will be followed. One of your statesmen—the illustrious Chancellor of the Exchequer—observed on a recent occasion, with that incomparable eloquence which recalls the grandest days of antiquity, that in the times in which we live the progress of civilization must be accomplished by milder means than in times past. These words, which conciliate many difficulties, have found an echo in France. I sign with you a treaty of alliance which will serve to promote the pacific conquest of progress."

The other toasts were "Lord Brougham," "The Lord Chief Justice of the Court of Queen's Bench," "Both Houses of Parliament," &c., the latter of which was replied to by Lord Kingdown and the Right Hon. W. E. Gladstone, M.P.

9. LORD MAYOR'S DAY.—The civic authorities, according to annual usage, marched in procession through the principal streets of the metropolis; and the pageant occasioned an almost entire cessation of business.

In the evening there was the usual banquet in the Guildhall, at which Lord Palmerston spoke as follows, in reply to the toast of his health:—

"My Lord Mayor, my Lords and Gentlemen,—For myself and my colleagues I beg you to accept our most sincere and hearty thanks, for the honour which has been done us in proposing our health, and for the kind manner in which that toast has been received. I can assure you that it is a great relief and great pleasure, to those who are engaged in the laborious conduct of the public affairs of this country, to be able, and to have occasion, whether in London or in the country, to meet in convivial assemblies those who are laboriously engaged in promoting the welfare and prosperity of our common country. But it adds to that satisfaction when we have the pleasure of finding, that in these meetings we receive testimonies of that goodwill and confidence on the part of our fellow-countrymen, which are the greatest encouragement to future labours, as they are the amplest reward for labours which are past. And if there is any portion of the commercial community of this great and wonderful country, whose approbation, founded upon their knowledge and judgment, must be most useful to us, it

is needless to say, that the approval of this great city of London must be, beyond all others, valuable to those who are engaged in the service of the State. It has been the practice of those who, like myself, have to address this great assembly, or a great assembly united within these walls upon occasions like this, to tell them something with regard to public affairs, which may excite their interest or approbation, or perhaps be unknown to those who hear it. That, fortunately, is not my lot on the present occasion. Nothing can be more dull, nothing can be less calculated to excite interest in hearers, than to tell them that Europe is peaceful—that we anticipate no events which shall disturb the general tranquillity of this part of the world, and that this country is in a state of progressive improvement and prosperity. But such, my Lord Mayor and gentlemen, is the statement I have this evening to make. There is, indeed, one unfortunate exception to that general prosperity. There is a certain renewal of distress in part of our manufacturing population. I trust that that renewal arises from those vicissitudes to which great commercial transactions are liable; that it arises from those fluctuations of value and those uncertainties of calculation, to which commercial countries must from time to time be subjected; and that it is not an indication of any failure in the resources and future prosperity of the country. With regard to things abroad, I have nothing to say about Europe but that it is quiet, and that we hope it will continue so. My noble friend (the Duke of Somerset) who addressed you on behalf of the navy, has informed you of certain events, of which details will speedily be known, by which we hope that the commercial transactions of Europe with Japan will be placed upon a safer and more satisfactory footing than they have hitherto stood. We are glad also to know, that in that vast empire of China, containing, as has been stated, a third of the human race, our relations with the Government are greatly improved, and there is a fair prospect that the nations of Europe will enlarge, from year to year, their valuable intercourse with that great, productive, and populous part of the world. There is one dark spot in the picture which the affairs of the world present. That dark spot lies on the other side of the Atlantic. We grieve, and every man of right mind must grieve, that that bloody and disastrous war, which broke out three years ago amongst a kindred nation, still rages, still lays waste the fertile plains of the country, still imbrues with blood the land which should be a source of advantage to mankind. We trust human nature will not long continue to maintain that deadly and disastrous strife, and that the contending parties may, within some period, which we hope to be short, find that it is better to be reconciled than to fight, and that those disputes which have caused this bloodshed may be reconciled and settled by amicable arrangement between the parties. The beginning of that strife was expected to be attended in this country with most disastrous results to our manufactures.



Those alarms have been found to be groundless, and at all events some good may come out of evil; and I hope that our sources of supply in the future will be spread over a great portion of the globe, and that we shall not be longer dependent upon any one foreign country for those materials which are so essential for the industry, wealth, and prosperity of a great part of the population of this country. My Lord Mayor, I congratulate you, that you have on the present occasion, among the vast number of distinguished guests, two men eminent in their respective countries for their great intellectual attainments, and for the services which they have rendered to mankind. One is our fellow-countryman; the other is a native of that great country, and a member of that great nation which lies but a short distance from our shores. It is needless that I should say that the first I allude to, is a man well known to this city as to all countries—I mean Lord Brougham. He is a man who has distinguished himself in every career of intellectual display, whether as an advocate, most eloquent and successful—whether as a Parliamentary orator, with eloquence and power never exceeded—whether as having distinguished himself in literature—whether as having trodden successfully all the various paths of science—or whether, not content with his own attainments, but anxious to spread the blessings of learning and instruction throughout the land, as the promoter of the diffusion of the knowledge and the education of all classes of the community. But you have also a most distinguished foreigner. You have Monsieur Berryer—a man who has attained the greatest eminence in his own country; whose name is known throughout the nations of Europe as being unrivalled in eloquence at the Bar, and respected and esteemed for that dignity of character, for that elevation of mind, and for that nobleness of sentiment, which are essential (when coupled with eloquence and talent) to make the perfection of legal or any other character. I am glad, my Lord Mayor, that you have had the opportunity of doing homage to the talent and ability of France, by inviting to your table the man who is the most worthy representative of the intellect, and I will say of the industry of his country. I trust, my Lord Mayor, that this banquet may add another link to that bond which ought to unite—and which, I trust, does unite two nations, neighbours to each other—nations which are capable of inflicting upon each other immense injuries as enemies, but which are, on the other hand, able to confer the greatest benefits as friends.” Lord Palmerston, in conclusion, proposed the health of the Lord Mayor.

M. Berryer, the Lord Chancellor, the Chancellor of the Exchequer, Lord Brougham, the Duke of Somerset, the Earl de Grey and Ripon, and Earl Granville also addressed the meeting, in answer to the several toasts.

14. THE EXECUTION OF FRANZ MÜLLER FOR THE MURDER OF MR. BRIGGS.—It is seldom that London has witnessed an execution

which excited so much sensation as that by which the notorious criminal, whose apprehension and trial are related in another part of this volume, paid the penalty of his crime.

The preparations for the execution were on a most extensive scale; but, large as the provision was, it was more than justified by the event. The crowd—as most experienced persons had anticipated—was noisier and rougher than even Old Bailey crowds are usually found to be on these occasions. No doubt the German residents at the East End aided materially in the increase of numbers, but the most conspicuous element in the mob was the lowest refuse of metropolitan life—the combined force of ruffianism and thieving. The behaviour of the densely-packed mob was in some places not indecent; but in the immediate vicinity of the drop it was the reverse. Fights and hustlings for the purpose of robbery were incessant as the hour of the execution drew nigh, and were actually in operation when the bell was tolling, and when the cry of “hats off” had commenced, and the stealthy appearance of the hangman’s head above the level of the scaffold to reconnoitre was greeted with a deafening yell. The police were mustered in great strength, and they kept the ground well wherever called upon to do so; but the few officers scattered separately about the crowd for the preservation of such order as could be hoped for, were able to effect but little towards repressing disturbance. The amusement of “bonneting,” combined with the business of picking pockets, went on with no apparent let or hindrance. During the night some heavy showers thinned the ground at times, but as the morning dawned fresh arrivals filled all the spaces marked out like pens by stout barricades. The houses commanding a sight of the drop were mostly filled with spectators who paid for places, at prices ranging from five or seven shillings to a couple of guineas a head. The sums asked and obtained for whole rooms were large, but did not approach those fabulous quotations which have been sometimes declared to cover a half-year’s rent. Twelve pounds, in one instance, secured the possession of a first floor, with a tolerably comfortable bed. Many persons who had paid high for the privilege of a sight, did not succeed in getting such eligible places as they had bargained for. Those persons for a while grumbled at the bad accommodation, but at length, making the best of their bargain, played games at cards, relieved by chorus singing, till it was time to struggle for places at the window.

From six o’clock in the morning the prisoner was engaged in prayer with Dr. Cappel, minister of the German Lutheran chapel in Alie-street, Goodman’s-fields. He had been but a few days in communication with the prisoner, and he paid his first visit to Müller some days before; but the prisoner, who was fencing to the last with his own conscience, stubbornly refrained from confessing his guilt. It was only in an unguarded moment that he made any approach to an admission. At one such time, when Dr. Cappel suggested that the death of Mr. Briggs was the result

of a struggle, and that no deliberate murder had been planned, Müller replied, "I believe it may have been done in that way." Dr. Cappel remarked, the first time he took the hand of Müller, that the grasp was not that of a feeble man. His shoulders were broad, square, and well set, and his hands were large and powerful. On the 13th Müller was visited by the Rev. Dr. Cappel, the Rev. Dr. Davis, and the Sheriffs, to all of whom he repeated the declaration of his innocence. In the evening he received another visit from Mr. Sheriff Dakin, who again exhorted him to tell the truth. He listened patiently to the exhortation, but repeated the declaration of his innocence, and as soon as this visitor was gone, he turned to one of the warders and said, "Man has no power to forgive sins, and there is no use in confessing them to him." When Dr. Cappel saw him on the Monday morning and engaged with him in prayer, Müller still persisted in denying his guilt during the whole interview, which lasted until the hour appointed for the execution. At two o'clock cart-horses were led into the gaol yard through the outside barriers, and in about an hour they returned drawing the machinery for the gallows, which workmen began to place in front of the debtors' door.

The roar of the mob was stricken momentarily into silence, when St. Sepulchre's bell was first heard, but soon they clamoured thrice as loudly as before. Then the ordinary, the Rev. Mr. Davis, came slowly on the scaffold, reading the Burial Service; and after him the murderer. As he came steadily up the steps he raised his eyes, with a kind of curiosity, to the chain depending from the beam high above his head; and when he came below this object he cast his eyes up to it again with wonderful self-possession. His bearing to the very last, though he was noticed to tremble somewhat when upon the scaffold, was calm and composed. When the Sheriffs had been led to where he awaited the summons to mount the drop, Müller was found standing by a warder in an attitude of real or assumed *nonchalance*.

The hangman appearing suddenly, pinioned his victim almost before he knew the executioner was at hand. The convict was then told that he might sit down, but he declined to do so; and for three or four minutes, while the final preparations were being made, he stood firmly, and drawn up to his full height. Dr. Cappel prayed with him in German, and entreated him to tell the truth; but all was to no purpose then. All preliminaries having been completed, and the solemn procession having reached the scaffold, a final effort was made by Dr. Cappel to obtain from Müller a disclosure of the truth. Dr. Cappel, when he stood under the gallows with Müller, the Rev. Mr. Davis being with him, spoke as follows:—

Dr. Cappel: Müller, in wenigen Augenblicken stehen Sie vor Gott; Ich frage Sie nochmals, und zum letzten Male, sind Sie schuldig oder unschuldig?—Müller: Ich bin unschuldig.



would shortly expire, and they would be quite free. It was, however, still intended to send about 600 convicts a year to Western Australia; conditional pardons being abolished. It had been determined to adopt five years, as the minimum sentence of penal servitude. With regard to the recommendation that all penal convicts should suffer nine months' separate confinement, with power of remission for good conduct, it had been adopted, and this principle would apply generally to sentences.

Various other alterations, of a less important nature, were proposed by the Bill, which was received with considerable approbation. Upon the subject of continuing the system of transportation to Western Australia, different opinions were expressed. Mr. Adderley objected to this part of the scheme. He also contended for uniformity of practice in the treatment of prisoners in every gaol in the country. He was for legislating on the principle solely of punishment; he would abolish tickets of leave, and insist on all sentences being rigidly carried out, while sentences should be accurately defined by Act of Parliament.

Mr. C. Fortescue contended that Government had acted wisely in the course adopted respecting Western Australia, and said that the fears entertained of an influx of criminals from Western Australia to other parts of Australia were unfounded.

Sir J. Pakington approved the adoption by the Government of the system of longer sentences for criminals; and with regard to transportation to Western Australia, though believing transportation the best secondary punishment, and that that to Western Australia might well be extended, he did not think that its advantages were such as to weigh against the strong feeling of the rest of the Australian colonies against it. While approving of a system of remission of punishment, he was of opinion that it should be accompanied by rigid supervision of licensed convicts.

Mr. Childers said the House must not expect that Western Australia would absorb any large number of our criminals, and we ought not to place any considerable reliance on this form of punishment.

Mr. Walpole said that in the present system of penal servitude, with its three gradations of punishment, were combined a penal and a reformatory process, and this was preserved and improved upon by the present Bill; and he deprecated the system advocated by Mr. Adderley, as calculated to fail, whether in the object of deterring from crime, or in doing what could be done towards making criminals better men. He regretted that the system of transportation could not be carried out further than at present, and hoped, that at some future time that end might be attained. Upon the whole, he cordially supported the Bill.

The measure received much consideration in both Houses, and some amendments were carried, after much debate bearing on the subject of the supervision of prisoners released under license. The Bill received the Royal assent before the end of the Session; but

one portion of the scheme embodied in it was not destined to be of long continuance. The retention of transportation, though limited in degree, and confined to Western Australia, provoked the strongest demonstrations of hostility from the other Australian colonies, who feared that their communities would receive fresh accessions of pollution, from the migration of the discharged convicts to their shores. Great agitation and excitement arose in the colonies in reference to this question. Earnest remonstrances were addressed by the Colonial authorities to the Imperial Government; and the language held by the alarmed settlers, in some instances, did not stop short of menace of secession, in case the obnoxious system should be persisted in. Before the end of the year it was announced, through the usual channels, that the Government had now determined to propose a total cessation of the practice of transportation.

A measure of considerable social importance, which was taken up very warmly in some quarters, and was backed by the support of no insignificant portion of the constituencies, though it ultimately proved abortive, was that which was commonly known by the name of the "Permissive Bill," whereby it was proposed to make the issuing of licenses for the sale of intoxicating liquors subject to the veto of a given proportion of the rate-payers in a district. Although this proposition was supported by a large array of local influences, and was urged upon Parliament by a great number of petitions, the novelty of the principle involved in it, and the arbitrary powers that it proposed to invest in a majority, over the free agency of individuals, excited a no less warm opposition on the other side. Mr. Lawson, one of the members for Carlisle, had the charge of the Bill, and in moving the second reading avowed that he was well aware that this subject was not popular in the House. Last year the Home Secretary had promised to introduce a Bill to reform the licensing system, but when afterwards questioned upon the subject, he gave an evasive answer, and subsequently said no measure would be introduced upon the subject. Upwards of 337,000 names were signed to the petitions in favour of this Bill, which showed that its supporters were in earnest. The hon. member then quoted statistics to controvert the allegations of Sir G. Grey, that drunkenness was on the decrease in England. He (Mr. Lawson) admitted that, as a body, the publicans were well-conducted men; but it was the system that he impeached. By that system places for the sale of liquors were set up, without reference to the wishes of the districts, and where a majority of the inhabitants might deem them a nuisance. He cited authorities to show that intoxicating liquors led to most of the miseries of the humble classes. The remedy which he proposed was, that if two-thirds of the rate-payers in a district decided that public-houses were not wanted there, no licenses were to be granted or renewed. As to the novelty of such legislation being used as an argument against it, surely when a great good was obtained no such argu-

ment ought to prevail. The permissive principle, which was embodied in his Bill, was in strict consonance with the freedom of public opinion.

Captain Jervis moved the rejection of the Bill. He stated that having had the misfortune, against his will, to spend five months in the liquor-prohibiting State of Maine, he had seen how badly the system worked. How did the Maine Liquor Law act in the State of Maine? In that country, instead of the people going to a bar to drink, they popped down a cellar, and there they were kept, because the keeper of the cellar knew, that if a drunken man were seen to come out of the cellar, he would himself be punished as well as the other man. Now what was the real reason for the people of that State passing such a law? It was that they were a hardworking but not a hospitable people. A stranger might be a long time there before he was asked to dinner; and it was very easy to say they had nothing to offer him. But after a time, they would say to a person they had become acquainted with, "Are you thirsty?" The person who was thus addressed, seeing a jug of water before him, would naturally say "No," and they would say, "If you will go to that cupboard you may find something more to your taste," and if the person went there, he would find brandy, and every sort of spirit. He assured the House that he was not exaggerating. That was the state of society in Maine, and even people in their houses had to shut up their shutters, for fear that somebody should see them drinking wines or spirits. Was that the system the hon. member wished to introduce into England? In order to save some 90,000 people from getting drunk, the rest of the people were to be prevented from drinking at all. Mr. Lawson had quoted figures, showing the number of cases of drunkenness, but he forgot to tell them how many of those cases of drunkenness were by the same persons, who got drunk over and over again.

Mr. Bright said this question had now taken great hold of the public mind, and it could not be spoken of as a scheme of wild enthusiasts. In dealing with the subject, we should look to the improved condition of the public or to special legislation. He preferred trusting to the former influence. Judging from the increased temperance amongst the upper classes, who could obtain liquor at their will, he expected a similar change in the habits of the other classes, when they came under what might be called corresponding influences. The present proposal, that a majority of rate-payers should decide whether licenses should be granted or renewed in their districts, was a novel experiment, and wholly opposed to the principle on which English legislation was founded; therefore, however willing to promote the objects desired, he could not give his vote for a measure of this kind. He, however, thought that the municipal councils of boroughs might be entrusted with the decision of how many licenses should be granted in their districts, thus avoiding that capriciousness of action which would



exist if the matter were left to the decision of a majority of rate-payers. Still, he was not in favour of legislation on this subject, and, believing that drunkenness was on the decrease in this country, he preferred to trust the promotion of temperance to the increased instruction of the people.

Mr. Roebuck said he had been many years in Parliament and had never heard a more mischievous Bill proposed. He would state why he thought it mischievous. In the first place because by it the House was called upon to abdicate its functions; in the next place because the Bill, if passed, would sow dissension among the people of England, and render England no place for a peaceable man to live in; and his third reason was that it was pre-eminently a Bill directed against the poor—it was pre-eminently an unjust, and he would say, a cruel Bill. The real object of a representative system had been correctly stated by Mr. Bright. It was, that on all matters affecting legislation the Legislature should do for the people what the people required, and not call upon the people to do for themselves that which they had delegated to their representatives to do. This was the great difference between the British Constitution and the ancient republics. If they were to do what the Bill proposed they should do, they would abdicate their functions, which would be a cowardly and a selfish act; they would be asking the people to do what they had not themselves courage to do. That was his first proposition. His second proposition was, that the Bill would sow dissension among the people. Supposing that the people of Westminster should decide to close all places where intoxicating liquors were sold, would that extend to their refreshment-rooms? Were they to say that the power of the rate-payers should not extend to that House? Nothing could be more selfish than that. Poison was suffered to be sold with precautions, but because some persons might take poison with a view of destroying their lives, was that a reason why other persons should not be allowed to have poison for other purposes? And so with fire. Fire was a dangerous thing, but was no man to be allowed to kindle a fire in his chimney, lest another person should set the house on fire? And so with regard to the sale of intoxicating liquor, the Government had taken precautions—proper precautions; and he did not go so far as Mr. Bright, who was for giving the power in this matter to the municipal council. He thought that would be most mischievous. His third proposition was that this was a Bill eminently for the rich. The poor man could not lay in a stock of wine, or spirits, or beer; he could not go for his beer to the next parish, but he must buy it near his own door. He contended, then, that this was pre-eminently a cruel measure. But there was a class of mind that so hated dissent, and was so intolerant, that in its pride it gave rise to the Inquisition, it burned Servetus, and it had led to the introduction of this Bill. The public were very apt to be misled; they easily followed a cry, and they were very likely to entertain a crotchet; and

crew of the boat, thinking that she would go to pieces and drown them all, sprang into the schooner, but were soon washed off. Two of those (Edward Robson and James Grant) were drowned; the other two, having their life-belts on, swam ashore. The life-boat, in her crippled state, with six men yet in her, fortunately drove into the harbour, where she was picked up by the "William Wake," another life-boat, and towed to North Shields, where her crew, with the exception of those who had jumped aboard the schooner, were landed in safety. Upon getting the apparatus to the Low Lights the Preventive men were unable to get any steam-boat master who would run the risk of going out into the sea with his vessel, and all further efforts to rescue the people on board the stranded ships were frustrated. About twenty-five minutes to eleven the schooner seemed to slide off the ledge of rocks where she was stranded, and immediately turned over. The cries of her doomed crew were heard for a few moments, and then they and their vessel disappeared from sight. More than once a horrible crash was heard from the steam-ship, and it was thought that she was breaking up; but it was not until an hour after midnight that the "Stanley" parted amidships, breaking into two separate pieces. The prow and fore part of the vessel was afterwards turned round by the force of the sea, while the stern part lay in its fixed position. It is supposed that some of the persons on board went down into the foaming billows at the time when the ship was thus rent in twain. Those who survived were in the fore part of the ship, where they remained till five or six o'clock in the morning, when the rocket apparatus from Cullercoats was used to cast lines from the shore; and by these means nine passengers and about twenty sailors were rescued. Twenty-one passengers, half of them being women, and five of the seamen, with the stewardess, were lost from the "Stanley;" six men were drowned in the "Friendship;" and two of the Tynemouth life-boat men. The "Stanley" was a fine ship of 552 tons burden, built at Hartlepool about six years ago. She was commanded by Captain Howling, and had thirty passengers on board, with forty head of cattle, when she left London for Aberdeen on the 23rd. The rocks under the battery at Tynemouth, a few hundred yards from the wreck, were strewn with dead bullocks, casks, bales, and other miscellaneous articles washed out of the broken vessel.

A coroner's inquest was held at the Town Hall, North Shields, upon the bodies of those who had been drowned and identified, belonging to the "Stanley" and the "Friendship."

James Gilbert, of Tynemouth, who acted as coxswain of the "Constance" life-boat on the night of the 24th, said,—“We proceeded with the life-boat towards the 'Stanley.' We got close under the bow of the 'Stanley' when a sea came and broke all the oars, except two on each side. The boat next caught the fore rigging of the 'Friendship,' and part of her side was driven in. I stuck to the boat, and four of the crew got on board the

'Friendship.' We were not lashed to the life-boat. The 'Friendship' was on the rocks, and she fell over with her mast to the south. We had an opportunity of speaking to the crew of the 'Friendship.' They made no answer to us. They seemed to be paralyzed. We were able to get safe ashore in our boat, and if the rest of the crew had remained in the boat they might have been saved. The boat was nearly perpendicular in the water. Three of the men were thrown into the rigging. The fourth jumped on board, and he was saved. It is not the practice to be lashed into the life-boats. I was once eleven hours in the life-boat, when we saved several crews. I was not lashed in. No man would like to be tied in. Every man had his cork jacket."

John Main, chief mate of the "Stanley," said,—“We sailed from Aberdeen on Wednesday the 23rd. I was acquainted with the channel of the Tyne from the entrance upwards. When we got off this coast the captain determined to bring the 'Stanley' into the Tyne. The captain asked me if I thought it would be practicable to go in. The tide was then about an hour from low water. I saw it advertised in the papers that there was as much as from seventeen to eighteen feet on the bar at low water. The water shallows up towards the lighthouse. I don't know to what extent, but the ship would have been safe. I think she would have got as far as the lighthouse without taking the ground. Above that she would have grounded; but she would have been in safety opposite the lighthouses. He decided to come in, and I said I would do my endeavours to bring her in. Neither lights were lighted at the time. I said I thought there was plenty of water, or something to that effect. I felt confident from my previous knowledge that I could bring her safely up the channel. There are no guides; but I knew we ought to steer W. half N. The captain and I were both on the bridge. I told the captain how to steer, and the captain gave the orders. We took W. half N., and were guided by the surf on each side. A heavy sea struck the vessel on the starboard quarter, and she ran against her starboard helm. By that means she was driven to the north. The sea drove her where she was. She is only twenty or thirty yards out of the channel now. Before the sea struck her she was in her right channel. The regulations as to the lights is, to put them out at quarter ebb, and re-light them at quarter flood. I went on the supposition that at any time there was water enough to come over the bar. Our ship drew thirteen feet of water. There was one seaman and the second mate at the wheel when the sea struck her. We have never more than two men at the wheel when taking the bar. After we struck she was kept going at full steam to try to get her off. She went ahead a little, and then stuck fast. We then sang out for assistance. I did not give orders to get out the waist boat. The crew did it themselves. I superintended it, and kept part of the ladies from getting in. When the boat was ready, four ladies, three seamen, and one fireman got into the boat.



I gave orders for lowering the boat. The davit broke right in two, close up to the neck. I cannot account for it. I sang out to cut the rope at the other end, but we could not get a knife, and the end of the boat was immersed before it parted. Three sailors got on board by means of ropes held out to them. The four ladies and the fireman, Gordon, were drowned. The captain then gave orders to get the other boat out. To the best of my belief the men had lost control. Another sea came and washed away the remainder of the boats. We then waited until assistance came from the shore. The nearest life-boat to us was about twenty or thirty yards outside. At a later part of the evening the ship parted in two. Before she parted some passengers and the engineer, who were on the bridge, were washed overboard. There were none at the stern when she parted. Before that I advised the ladies to come off the bridge, but they would not let go the railing. I was on the crane. The rocket apparatus was brought to us before the vessel parted. When we got a communication with the shore, the second mate and I took charge of it. We fastened it to the bulk-heads. That was about the level of the topgallant forecastle. I did not hear the captain make any remark that that was not the proper place for it. I believe he did make that remark, but I did not hear it. I thought the rocket had been fired from the cliff; and it would have been very difficult to get the women to the mast-head. That was the reason why I did not fix the rope higher in the ship. A seaman was the first and the second mate was the second to go ashore. They got ashore safely. The next was a woman, accompanied by a seaman. They were unable to get across, and in drawing them back they fell out of the cradle. A fireman went next, but the cradle got foul of the water, and he was obliged to leave the cradle and return. No further attempts were made that night. The hauling-line fouled. Before the steamer parted the hawser broke. Nothing was done after that till the morning, when the rocket was used, and we were all taken off. On the second occasion we fastened the rope to the mast-head. We saw them on the rocks then. It was a lower elevation. It was lower down to the ship, at any rate, than when it was fired before. I cannot say if we might have kept the ship out at sea with safety."

Two or three witnesses swore that the Coastguardsmen behaved most heroically; but that the lines could not be brought after eight o'clock at night on account of the sea.

The jury, after a careful summing up by the Coroner, returned the following verdict:—"We are all agreed that the loss of the 'Friendship' was purely accidental; also the 'Stanley,' but we attach blame to the mate and master for taking the bar too soon before the lights were lit; and as to the harbour lights, we would recommend that they shall be kept in continually without alteration in the light so long as there is seventeen feet of water upon the

bar, and that when there is not seventeen feet there must be an alteration."

The same storm which caused the loss of the "Stanley" and the "Friendship" was fatal to another vessel, the screw-steamer "Dalhousie," trading between Dundee and Newcastle, which came to destruction at the mouth of the Tay, on the 24th, under circumstances similar to those which occasioned the wreck of the "Stanley." By this sad event thirty-four lives were lost, about twenty of whom were passengers. There were other losses also by wreck in the same storm, but none so considerable as those above mentioned.

## DECEMBER.

8. OPENING OF THE SUSPENSION-BRIDGE AT CLIFTON.—The Suspension-bridge over the river Avon at Clifton was formally opened. It was a great day for Bristol and Clifton, as well as for the neighbouring parts of Gloucestershire and Somersetshire, now furnished with a convenient passage from one shore to the other of the river by which they are divided. The history of this project is somewhat remarkable. In the year 1753, Alderman Vick, of Bristol, bequeathed to the Society of Merchant Venturers the sum of 1000*l.*, directing that such sum should be placed out at interest until it should accumulate and increase to 10,000*l.*, when it was to be applied to the building of a stone bridge across the Avon from Clifton-down, in the county of Gloucester, to Leigh-down, in the county of Somerset. This was the origin of the gigantic scheme that has only just now been carried into execution, after a lapse of 111 years. It was at once perceived to be impossible to build a stone bridge across so vast a chasm. For nearly eighty years, the 1000*l.* left by Mr. Vick was allowed to accumulate; and in the year 1830, when the railway system was beginning to make itself felt, the citizens of Bristol began to think of the old legacy, and the possibility of applying it to the purpose for which it was left. At that time the money had increased to 8000*l.*, and it was resolved to use the amount as the nucleus of whatever sum might be required to construct the bridge. An Act of Parliament was obtained, and plans were advertised for. Telford, the builder of the Menai-bridge, and the late Mr. Brunel, competed for the honour of giving a design for a suspension-bridge. Mr. Brunel's design was preferred. His estimate was 57,000*l.*; but when 45,000*l.* had been spent, only the towers had been built, and the work came to a stop. His design was for a chain bridge of a single span of 700 feet, two chains passing over two towers, and being anchored

deep in the limestone rocks behind them. In 1843 all the money was gone, and the scheme was in abeyance for want of funds, and, though many propositions were made to the trustees under the old Act of Parliament, the bridge would very likely have been incomplete to this day, had not the removal of Hungerford-bridge become necessary. Mr. Brunel, as it happened, had been the engineer of Hungerford-bridge; and when its chains had to be pulled down, to give place to the bridge of the Charing-cross Railway, it occurred to Mr. Hawkshaw to have them applied to the completion of one of the greatest of all Mr. Brunel's bridge designs. For such a purpose the money was soon forthcoming. A new company, under a new Act, and presided over by Captain Huish, was started, with a capital of 35,000*l*. The chains of Hungerford-bridge were purchased for 5000*l*.; the stone towers, built by Mr. Brunel for the old company, for 2000*l*. Two years ago the work of slinging these chains began, and the bridge is now finished. A few words of description will suffice. The bridge is supported by three chains on each side. These chains, or rather jointed iron bars, are built together, by joining sideways a series of flat iron bars, or parts of links—ten and eleven bars, an odd and even number, alternately composing one link; each bar of each link being 24ft. long by 7in. broad, and 1in. thick. The shore ends of the chains are secured by taking down the links no less than 75ft. deep into the heart of the limestone rocks, and then building them in with solid masonry. The towers over which these chains pass, are built after the massive and ponderous style of Egyptian architecture. There are arched towers 48ft. wide by 30ft. thick and 80ft. high. On the Bristol side they only go down some 10ft. or 12ft. to meet the rock, but on the opposite shore, the shelving conformation of the strata requires a pile of masonry 100ft. high, to meet the roadway above it. The bridge, which hangs from the chains over these towers, is made by tie-rods, 2in. in diameter and 8ft. apart—eighty-one in number on each side of the structure. Each pair of tie-rods have suspended to them the cross girders which carry the floor of the roadway. These girders are 18in. deep and 33ft. long, and, like all the rest of the work, are of wrought iron. The carriage-way is 20ft. wide, and the footways 5½ft. wide each. A division 3ft. high is formed, between the roadway and the footways, by two long wrought-iron girders, 3ft. deep by 8in. wide, which, like two backbones, stiffen the bridge from end to end, and check the vibration caused by storms of wind. The curve, or rise in the bridge, is only 2½ft. at the centre. The saddles or rollers which let the chains move over the towers meet the contraction and expansion caused by changes of heat and cold in the atmosphere. The total span of the bridge is 702ft. 3in., and its height above the water is 260ft. Taking length and height together, it is the most remarkable suspension-bridge in the world.

The ceremony of opening the new bridge was attended with



much festivity and pomp. There was a procession through the city of Bristol, composed of all the trade and benefit societies, bearing the banners and models illustrative of various callings. This procession, which came early, was immense in numbers, and took nearly three hours to pass through Bristol to the edge of the Clifton ravine, whence it wound down by the "zigzag" to the banks of the Avon. There was another and more dignified procession, which came precisely at twelve o'clock to perform the actual ceremony. It comprised Earl Ducie, the Lord-Lieutenant of Gloucestershire, the Earl of Cork, the Lord-Lieutenant of Somersetshire, the High Sheriffs of both counties, the Bishop of Gloucester and Bristol, the Mayor and Corporation of Bristol, the county and city members of Parliament; the chairman and directors of the bridge company, with its officers; the engineers, the contractors, the superintendent of works, and the workmen; the Master and Wardens of the Society of Merchant Venturers; the foreign Consuls; the Freemasons, Foresters, and other friendly societies, escorted by the Yeomanry Cavalry, the Volunteer Artillery and Rifles, and the Naval Reserve. This procession did not arrive upon the ground till all the spectators and visitors were assembled—that is to say, till the approaches to the bridge were filled, till the heights of Leigh-wood were crowded, and the ledge of steep grey cliffs lined with dense masses of people. The opening ceremony was performed by the procession crossing the bridge, from the Clifton to the Leigh-wood side, amidst a grand salute from the Volunteer Artillery. From the Somerset side the return was made in the same order, to the Clifton or Gloucestershire end, when a halt was called in front of the grand stand erected for visitors; Captain Huish, the chairman of the company, then read a brief address, setting forth the history of the undertaking, which was loudly cheered. The Bishop of Gloucester offered up a prayer, after which, in a few brief words, the Earl of Ducie, for the county of Gloucester and city and county of Bristol, and the Earl of Cork for the county of Somerset, each formally declared the bridge opened to the public for traffic, amidst renewed cheers, which were repeated again and again.

In the course of the afternoon a *déjeûner* was given at the Victoria Rooms, to which all the chief visitors and the leading gentry of Bristol and its neighbourhood were invited. During the night the bridge was illuminated with the electric light and with Bengal fires.

— THE SMITHFIELD CLUB CATTLE SHOW OF 1864.—This great event to the agricultural world passed off with a success in every particular without precedent in the annals of the Smithfield Club. To the club itself but little credit attaches for the wonderful advance which has been made in this show of late years, except in the increased number and amount of prizes. It is, therefore, more to be attributed to the spirit and perseverance of those who conceived and carried out the erection of the Agricultural Hall, that

the cattle shows, and those important adjuncts, the horse and dog shows, have met with the spontaneous support and patronage of the public, and produced so prosperous a result on this occasion.

With respect to the cattle show of the present year, the great points of its excellence consist in the development of that perfection which is calculated to produce the largest amount of wholesome food for the people, at the earliest possible maturity, and although physiologists may deny that meat of early maturity can be wholesome, still that is the great object for which the Smithfield Club was instituted, under the advice of the most experienced and practical men of the last half-century, and which object, as before stated, has been more fully attained at this than at any previous show.

One of the chief points of difference amongst the agricultural community, with respect to the awards, was the decision of the judges in favour of Mr. Kirkham's thorough-bred shorthorn as against Mr. Phillips's very beautiful Hereford, which obtained the Birmingham gold medal. The farmers and graziers generally considered it a mistake that purity of breed should be taken as the criterion for such judgment, when the Hereford would produce a so much larger amount of wholesome meat; but the judges, in making their award, have early maturity to fall back on, the shorthorn being but 2 years 5 months and 20 days old, whilst the Hereford is aged 4 years and 4 months.

The Devons, as a class, were considered very far above the average, and the sheep classes generally were well developed; while with regard to the pigs there was an absence of that obesity which has distinguished this portion of previous shows. There was certainly one animal weighing very nearly half a ton (the property of Sir Thomas Whichcote, Bart.), of the Lincolnshire breed; but the porker in question was by no means out of proportion to his enormous size. In the Southdowns, the Earl of Walsingham was adjudged to have beaten the Duke of Richmond in two classes out of three; whilst in the Leicesters Lord Berners takes the principal prize in Class 36, and Mr. George Walmsley in that of Class 35. The silver cup, for the best ox or steer in any of the classes, was carried off, for his shorthorn, by Mr. John Walesby Kirkham, of Biscathorpe House, South Lincolnshire; the silver cup, for the best heifer or cow, by Mr. Richard Taylor, of Kingham, Chipping Norton, Oxon; the silver cup, value 20%, for best pen of Leicesters or other longwools, by Mr. George Walmsley, of Rudstone House, Bridlington, Yorkshire; the silver cup, value 20%, for best pen of Southdowns or Hampshire or Wiltshire Downs, by Lord Walsingham; and the silver cup, value 20%, for the best pen of Shropshire, Oxfordshire, or any other cross-breed, by Mr. J. Overman, of Burnham Sutton, Burnham Market, Norfolk.

Passing from the cattle to the show of implements, and to the arcade, which was this year devoted to objects of a domestic

and useful character, it may be said to have been, generally speaking, of a more interesting nature than those of preceding years. There was a much greater display of agricultural produce, and it was well to observe the deep interest, which the large body of the agricultural portion of the community evinced, in all matters which had any *bonâ fide* tendency to increase the fertilization of the soil, and consequently augment and improve the character of its produce. Hence, one of the most interesting and attractive stands was that in which were exhibited specimens of Bell's ammonia-fixed Peruvian Guano, which saves, it is stated, 30s. per ton, and produces 10 per cent. more wheat. There was also a diminutive instrument, most effectual to give alarm by electricity in case of fire or attempted burglary; bread-making and sausage machines; and a little instrument for milking, by means of which the cow is milked involuntarily, producing milk fuller in quantity and finer in quality. The great machine-makers and patentees, Messrs. Fowler and Co., J. and F. Howard, Garrett and Sons, Clayton, Shuttleworth, and Co., were fully represented, and altogether the show was of a most interesting character.

The numbers who paid for admission, during the five days the show continued open, were as follows, viz.:—Monday (five-shilling day), 1002; Tuesday (first shilling day), 26,638; Wednesday, 39,214; Thursday, 33,039; Friday (closing day), 22,365—total paid admissions, 122,258. With complimentary admissions to members of the club, &c., the actual numbers who visited the show could have been but very little short of 150,000.

The usual Smithfield Club Dinner was held, under the presidency of Lord Tredegar.

The chairman, in proposing the toast of "Success to the Smithfield Club," referred to the excellence of this year's show, and to the consequent proof that the club was in a flourishing condition.

The Earl of Feversham, in proposing "The President's Health," also congratulated the club on the success of the show, and complimented the Agricultural Hall directors on the great assistance they had given in carrying out the show to its present dimensions. He referred to the circumstance that they had had horse shows, and even donkey shows, which had resulted in great success, and recently the exhibition of works of industry, by the working classes of the metropolis, had shown the value of the hall for almost any purpose.

The usual series of toasts was gone through, and duly honoured.

15. FEARFUL ACCIDENT ON THE GREAT WESTERN RAILWAY.—An accident which might have been attended with a large sacrifice of human life occurred on the line of the Great Western Railway, at the Pangbourne station.

It appeared that a narrow gauge special luggage train reached Pangbourne shortly before ten o'clock, and from some defect in the valves of the engine, which caused a want of steam, the train was unable to proceed. The switchman, anticipating the arrival



of the Birmingham express, directed the driver to get on to the down line, and there appeared to be enough steam to enable this to be done. Soon afterwards the down mail was due, and it was said that some person in authority ordered the luggage train to be removed from the "down" to the "up" line. This was done, and it had not long been there when the Birmingham express was observed to be in sight, and the railway officials foresaw that something most fearful must happen.

The auxiliary signal, when first seen by the driver of the express train, was stated by him to indicate that all was right, but almost immediately it was reversed, showing that there was something on the line. He did all in his power to stop the train, but it was proceeding at express rate, and the space was too short to admit of the speed being at all checked. The result was that the engine ran into the goods train with fearful velocity, forcing the guard's break van, which was at the end of that train, over a salt van on to the top of the third van from the end, where it remained, the first salt van being dashed into pieces, and the second very extensively damaged.

The noise from the collision was tremendous, and so alarmed the inhabitants of the village of Pangbourne that all seemed to feel at once that it was the result of an accident on the railway. Many rushed to the station and rendered every assistance that appeared to be required. The driver of the express train, Abraham Hill, was discovered to be but slightly injured in the ribs, and the stoker by some extraordinary means escaped any material injury. The fearful nature of the collision not unreasonably excited fears that some of the passengers had been killed, and the general anxiety was to ascertain what had been the effect of the accident among them. The carriages were instantly examined, and it was gratifying to the people to learn that none of the passengers had sustained any more inconvenience than a severe shaking.

The great thing remaining to be done was to clear the line of the broken vans and the engine of the express, which had got off the line and was embedded in the earth. The passengers of the train, railway officers, and people of the village all assisted to remove the guard's break van from the top of the salt van to which it had been driven, as already described, by the express train. Great difficulty was experienced in the effort, and ultimately the van fell across the "down" line. Both lines were thus blocked, and proper appliances being required for removing the obstruction, a telegraphic message was sent to the Reading station for assistance. Mr. Bailey, the district superintendent, with a staff of men, proceeded to the spot with the least possible delay, and succeeded in getting the down line clear. The express train was eventually despatched by another engine, but its progress was interrupted at Reading, owing to an engine having got off the line near the Caversham-road. The down mail at night, and also the up mail early in the morning were both delayed several hours. The express

train, which was due at Paddington at eleven p.m., did not arrive there until between four and five o'clock the next morning.

16. ACCIDENT ON THE NORTH KENT RAILWAY.—A frightful accident occurred at half-past four this afternoon in the Blackheath railway tunnel. The fast train leaving Maidstone at 2.40 p.m. ran into a ballast train, a quarter of a mile down the tunnel from the Blackheath end, and three-quarters of a mile from the Charlton end. The last stoppage of the passenger train was made at Woolwich, at a quarter past four, and the officials and passengers asserted that the way was signalled clear both at Charlton and the entrance of the tunnel. Be that as it may, it is certain the fast train was in the act of going through the Blackheath tunnel at the rate of about forty miles an hour, when it ran with terrific force into the ballast train from Higham on its way up to London. In the collision five platelayers in the ballast train were killed on the spot. The passengers were thrown from their seats against each other with great force, and all were more or less injured. One poor woman had both her legs cut off, and the driver and stoker of the up passenger train were fearfully scalded. The screams, fright, and confusion among the passengers in the dark tunnel at the time of the accident were most distressing. They could not be extricated from the tunnel for upwards of an hour. During this time fires were kindled of the broken fragments of the carriages, but the wet dripping from the roof of the tunnel prevented them from burning brightly, and the glare and smoke added to the horror of the scene, which was further increased by the shrieks of the women and the groans of the wounded. The engine of the passenger train was overturned and thrown across the two lines, and the greater part of the ballast and passenger carriages were broken into fragments. The engine, worth about 1500*l.*, was totally destroyed; and, to say nothing of damage to injured passengers, the loss to the Railway Company in the destruction of rolling stock could not be less than 3000*l.* Messengers were instantly despatched to Charlton and Blackheath to stop all up and down traffic. The 4.20 train from London was only stopped from entering the tunnel by one or two minutes. Mr. Chapman, the station-master at Blackheath, telegraphed to London-bridge, where an engine was in readiness; and without waiting for a carriage to be attached to it, Mr. Knight, superintendent, Mr. Harris, assistant-superintendent of the traffic department, and Mr. Corner, the locomotive superintendent, at once proceeded to the spot, followed by Dr. Adams, the company's medical man, and a staff of surgeons, who, with the uninjured passengers, were most assiduous in their attention to the wounded. After the lapse of an hour, a portion of the succeeding train stopped at Charlton, went into the tunnel, and conveyed the passengers, in charge of Inspector Ware, back to Charlton station, where the injured were taken care of. Several took cabs, and those who were able walked to Blackheath Railway Station, and thence proceeded by train to London and the

intermediate stations. Four of the bodies of the dead plate-layers were conveyed in the break van to Blackheath. The fifth body, that of William Webb, could not be extricated from the rubbish till a very late hour. There being no ventilation, the men had to work in the midst of great heat and a thick and suffocating smoke, but they did their duty manfully. The guard of the ballast waggon, named William Lancaster, escaped injury, but the stoker was very much crushed. One passenger had a broken jaw, others broken ribs, and several fractured limbs. Two ambulances, with a detachment of the Military Train corps, commanded by Lieutenant Bentall, were forwarded from Woolwich Garrison, and a body of the R division of police, under Inspectors Linnell and Brown, were soon on the spot. The sufferers were conveyed down the line to the Charlton station, and from thence on beds and stretchers to the Antigallican Arms Tavern. Several of the most injured, four of whom were females, were placed under the care of Dr. Fagan and three other medical gentlemen. John Hunt, an engine-driver, was fearfully scalded. Five others were conveyed to the military hospital at Woolwich, under the care of the Army Medical Staff, and a number of the wounded were removed to Blackheath, and attended by Dr. Adams and other medical gentlemen.

An inquest upon the bodies of the five plate-layers was held by Mr. Carter, the Coroner, at the Railway Tavern, Blackheath.

Thomas Dowsett, of Ashford, engine-driver, who had charge of the ballast train, said it started from Dartford at a quarter past three, having twenty-two loaded trucks, two breaks, an engine, and a tender. It was an ordinary train, weighing the same as other ballast trains. The pressure of the engine was 110lbs. to the square inch. They stopped at Dartford and Erith to heave out ballast from eight trucks, took on other loaded trucks of ballast and bricks, stopped at Abbey Wood, where they detached the eight empty trucks, proceeded to Charlton station, where they stopped by signal, and remained about fifteen minutes. When they left the Charlton station the train consisted of twenty-three loaded trucks, with breaks and engine. Between the Arsenal and Dockyard stations the train was slacked in order to enable some men to get out. After proceeding through the tunnel about half-way the train commenced slipping, in consequence of the greasy state of the rails, and the ballast guard (Lancaster) got down to uncouple half of the train. He then came back and said that the train was uncoupled, and at the same moment witness felt a jar, and said, "Something has come into us either back or front." Lancaster then told witness to proceed on with the front part of the train to Blackheath, and he did so. He was then aware that something had run into the ballast train. On nearing the Blackheath station witness held up both hands to the first person he saw belonging to the company, and called out, "Hold hard." He then shunted his waggons, and immediately afterwards Lancaster came running into the station, and gave information that the collision had happened.



Witness has been two years in the company's employ. He had previously been eight years in the employ of the Great Northern. He and Lancaster were sober. Ballast trains are not fixed to any time for arriving at stations. They have to make their way as well as they can between the passenger trains. He knew by the time table that about the time he left Charlton the express passenger train would be at Woolwich Dockyard. It usually takes fifteen minutes to come with a ballast train from Charlton to Blackheath. They have to notice a signal between Charlton and Blackheath, just at the entrance of the tunnel. On this occasion that signal was all clear. The time allowed for a passenger train to pass the tunnel is seven minutes. He did not know whether the guard or any other person was provided with fog signals. He received no intimation before entering the tunnel that the rails were in a bad state.

Robert Bartley, stoker, ten years in the company's service, said, on arriving at Charlton the train was stopped, which was a bad thing, as they could not get through the tunnel so well afterwards. At the curve in the tunnel the train came almost to a standstill. Witness got off and walked with it. Lancaster uncoupled the train and sent on the fore part and engine. Afterwards witness told a signalman, "We have only got half of our train out, and have left the other half in the tunnel;" and the man said, "Oh, what shall I do?" Witness rejoined, "I don't know what you will do."

William Henry Lancaster said the train came to a standstill, and the collision took place before he uncoupled the hind waggons from the ballast train. He then sent on the engine to Blackheath as soon as possible. He slipped in, trying to get on the engine, and ran on to the Blackheath station, and told Mr. Chapman, the station-master, that a collision had taken place, and he had heard the cries of the sufferers. He then returned with an engine to the spot, and the killed and wounded were taken away as soon as possible.

David Tucker, signalman at the junction between Charlton and Blackheath, described the nature of the signals given. At 4.12 witness received a message from Blackheath that the coal train had passed; and at 4.14 he received another message that the ballast train had arrived at Charlton. About six minutes after the latter message the ballast train had entered the tunnel. At 4.32 he received a signal from Blackheath "all clear," and sent on the message to Charlton. About fifteen minutes after, the passenger train entered the tunnel. About 4.58 the guard Sparks came and told him to stop all up and down, as something was wrong in the tunnel, and he did so.

Further evidence was then given, and it appeared that Jones, the signalman, had signalled that the line "was clear."

Mr. Chapman, station-master at Blackheath, deposed that Jones had only been a week at the signal-box continuously, having been

previously a porter at 16s. a week, and he, on the recovery of the regular signalman, who was unwell, would have to return to his duties as porter. He first was on night duty for three nights, and then on day duty. His hours of duty were from seven o'clock till six.

Wm. H. Lancaster, chief guard of the ballast train, recalled, said the train had only just come to a standstill when the collision occurred. Witness, after uncoupling the train, told the driver to proceed onwards with the first portion of the train. Witness had some fog signals in his pocket. The under guard also had some. It was the duty of the under guard, without referring to witness, to run back at the time of the standstill, and exhibit the fog signals.

Joseph Hill, platelayer, said he and some others, Wade, Seeby, Jones, and Pledge, were in the last carriage. When the train came to a standstill he gave a light to Lancaster, who told Randall to put the break on. Richard Pledge, platelayer, also described the standstill, and said some one, he did not know who, asked him for a light. He did not know whether the tail lights were on. Joseph Squires, head guard of the up train from Maidstone, said they were going at twenty or twenty-one miles an hour. It was the duty of a head guard to instruct the under guard, but on a standstill in a tunnel, the under guard would not wait for instructions, but would run back with the signals. The rules of the company showed that both guards were equally responsible. Lancaster, again recalled, said the witnesses were mistaken in saying that he asked for a light. He had his own light. Wells, recalled, said Lancaster asked him for a light. Lancaster said his light was all right from Belvedere to Blackheath. He never dropped it or extinguished it. Mr. H. M. Ramsay, of Paddington, builder, said he was alone in a second-class carriage. For about a minute and a half before the collision he felt that the wheels were ploughing up the gravel between the six foot ways. He was confident that they were off the line before the collision took place. The first shock threw him off his seat, and the second threw him out of the window. Squires, recalled, denied that the train got off the line before the collision. Mr. Ramsay persisted in his opinion. Captain Tyler, R.E., examined by the coroner, stated that he had made a minute inspection of that portion of the line where the accident had occurred. He had prepared a report on the whole case, the last paragraphs of which gave the conclusions he had arrived at as to the cause of the accident, which he stated.

27. EXECUTION OF THE CHADWELL-HEATH MURDERER.—The execution of Francis Wane took place at Springfield Gaol, Chelmsford.

The prisoner was convicted of the murder of a woman named Amelia Blunt, and it appeared upon the trial that the prisoner and the deceased had cohabited together for a considerable time, but in consequence of his ill-usage she had left him and gone to live

with an old man named Warren, to whose son she was about to be married at the time of the murder. The prisoner had been repeatedly heard to utter threats that this marriage should never take place, and the evidence at the trial proved that he had deliberately cut the throat of the unhappy woman while she was washing, and then endeavoured to make his escape. He was, however, taken into custody almost on the spot, and the evidence was so conclusive against him that the jury almost immediately found him guilty of the crime of which he was accused.

Immediately after the verdict was returned the prisoner made a full confession of all the circumstances under which the crime was committed. With regard to the actual murder he said that he expected the unhappy woman was to have been married on the following day, and he was determined that the marriage should not take place. He therefore watched until the deceased was left alone in the washhouse, and then he went quietly behind her. She was not at all aware of his being there until he put his left arm round her neck, and then with a knife he had in his right hand he almost at the same instant cut her throat. As he put his arm round her he states that the deceased turned round and saw him, and, with a look of horror, exclaimed, "Oh, Toddy, what do you do here?" and without saying a word in reply, he immediately cut her throat. She struggled faintly a brief interval, and then fell forward into the position in which she was found by the old man Warren, when he returned from an adjoining public-house, where he had been to fetch some beer for their supper.

The prisoner seems to have always borne the character of an idle, drunken fellow, who would not work when he could get employment. He had some relations who were pretty well off; but during the time he and the deceased cohabited together he seems to have mainly subsisted upon the produce of her labour, and when drunk was constantly in the habit of ill-using her. The culprit was lamentably ignorant. He could neither read nor write, and appeared utterly destitute of religious feeling. His position in this respect was, however, materially improved during his imprisonment, and he appeared to pay great attention to the exhortations of the chaplain, the Rev. Mr. Hamilton.

Mr. Gepp, the under-sheriff of the county of Essex, paid an official visit to the culprit, accompanied by the governor of the prison. He stated to them that he was prepared to die, and he hoped he should receive pardon for his crime in another world. He at the same time admitted that his sentence was a just one. He was quite calm, and shook hands with the officials, and expressed his thanks to them for the kindness he had received from them.

Although the prisoner had deformed feet, he mounted the steps leading to the scaffold without any assistance, and when the drop fell he appeared to die almost immediately.



There was a considerable crowd assembled, but they conducted themselves in an orderly and decorous manner.

31. GREAT FIRE AT HANOVER-STREET MILLS, PRESTON.—This morning, shortly before six o'clock, a fire broke out at Hanover-street Mills, the property of Messrs. Birley Brothers, which in a short time completely gutted one of the principal buildings at the works.

Messrs. Birleys' mills are situated in Hanover-street, Great George-street, off North-road, and were formerly the property of Mr. F. Sleddon, jun., and previously of his father. They comprise several buildings. That in which the fire occurred was on the right hand side of the yard, and was formerly Mr. Sleddon's machine shop. It is the oldest building at the works, and escaped uninjured when the rest of the works were destroyed by fire about forty years ago, which was the most extensive conflagration that had ever taken place in Preston. The building was known as "the great shed," and contained 365 power-looms; one-half of the building, a modern addition, was one story high; the other part was four stories. Looms entirely occupied the ground-floor; on the second story were spinning frames—mules; the third story was devoted to throstle spinning, and the attic to mules. There were altogether about 7000 throstle spindles and 6000 mule spindles. About a quarter to six o'clock, just as lighting up was being finished, for Messrs. Birley were running their works full time, a fire was observed at the north-west corner of the second story. An alarm was instantly given, and the fire brigade, under the direction of the superintendent, Mr. Marriott, were quickly on the spot; indeed, a quarter of an hour had scarcely elapsed before the engine was in full play and pouring water on the flames. The fire, however, got rapidly ahead; the mill "burned like a match," and the upper stories were soon enveloped in flames, defying the power of the firemen to arrest their progress. The flooring of the third story soon fell in, and it was quickly followed by that of the topmost story, and before half-past six the roof of the building fell in. For a time after this the flames raged more furiously than ever, but the incessant flow of water at length got them under, and prevented their communicating to other buildings. Messrs. Birleys' mill employs about 900 persons, and was one of the few running full time in the town. In the building where the fire occurred about 260 persons were employed, who were unfortunately thrown out of work for some time to come, adding to the already overcrowded list of persons subsisting on parochial or other charity. The disaster was consequently keenly felt by the workpeople and the neighbourhood.

— WRECK OF THE "RACEHORSE."—Intelligence was received of the disastrous wreck of H.M. Ship "Racehorse," in the China seas, with ninety-nine hands on board, on the 4th of November.

The following communication was received by the Lords of the Admiralty from Commander Hayes :

"Her Majesty's Ship 'Tartar,' Shanghai,  
Nov. 14, 1864.

"My Lord,—It is my painful duty to report direct for the information of the Lords Commissioners of the Admiralty, that Her Majesty's ship 'Racehorse' was wrecked on the night of the 4th inst., at 8.30 p.m., about five leagues south-east of Chefoo Cape, and about two miles E.S.E. from White Rock. Only nine of her crew have been saved—three officers and six men.

"I beg to enclose a copy of a letter I have received from Lieutenant Nicolas, of the 'Insolent,' giving, as nearly as he could, by desire of Commander Boxer, a description of this melancholy accident.

"A list of officers drowned and saved is also attached.

"The 'Racehorse,' in pursuance of orders from the Commander-in-Chief, was on her way to Chefoo from this port. She left here on the 1st inst.

"Immediately on receiving this intelligence I despatched Her Majesty's steamer 'Rattler' to the assistance of Commander Boxer, and now await Commander Webb's report.

"I am, &c.,

"J. M. HAYES, Captain and Senior Officer,  
North China Division.

"To Lord Clarence Paget, C.B., Admiralty."

"'Her Majesty's Gunboat 'Insolent,'  
Teutai, Nov. 8, 1864.

"'Sir,—I am ordered by Captain Boxer to report that Her Majesty's ship 'Racehorse' was wrecked on the night of Friday, the 4th of November, at 8.30 p.m., about five leagues to the S.E. of Chefoo Cape, and about two miles E.S.E. from White Rock, and only nine of her crew saved.

"'At the time of the ship striking it was comparatively smooth, boats were lowered, stream anchor and cable placed in cutters ready to lay out, when heavy rollers set in, swamping both cutters and gig, and breaking entirely over the ship; the masts were then cut away, and the ship steamed full speed on shore, endeavouring to save life, but the wind increasing to a gale, the rollers washed away all skylights and filled the ship.

"'The ship's company were then sent aft, told the position of the ship, and that if they held on till daylight there was every hope of all hands being saved. Unfortunately the endurance of only a few was equal to this, the poor fellows dropping off one by one, from the effects of the cold and the force of the sea.

“ ‘A list of those saved and lost is enclosed.

“ ‘Captain Boxer desires me to add that the conduct of the officers and men during this frightful night was most cool and collected, obeying every order smartly and energetically, especially by the first lieutenant, master, and boatswain.

“ ‘I have the honour to be, &c.,

“ ‘G. TOUP NICOLAS, Lieutenant Commanding.

“ ‘To Captain Hayes, Her Majesty’s ship ‘Tartar,’ Shanghai.’ ”

The following account of the loss is extracted from the *North China Daily News*:—“ We regret to have to report the total loss of Her Britannic Majesty’s despatch boat ‘Racehorse,’ which occurred on the evening of the 4th of November, in the Bay of Lung-mun, about twelve miles to the east of Chefoo. At eight o’clock on the above evening, the weather being at the time extremely thick and hazy, it was thought that the vessel was entering Chefoo harbour, to which Lung-mun Bay bears a great resemblance. Similar accidents have occurred on previous occasions, as, for instance, in the case of the British barque ‘Homer,’ which was totally wrecked there during last winter, and the steamer ‘Swatow,’ which, under exactly similar circumstances, was indebted to a mere accident for preservation from destruction. As soon as the ‘Racehorse’ went ashore, the masts were cut away and every attempt made to lighten her and get her off. These efforts were, however, unsuccessful, as a gale, which had been threatening for some time before, set in with terrific violence, and prevented the men from either working the ship or launching the boats. Nothing remained then for the crew to do but to fasten themselves down as best they could. Enormous seas continued to sweep over the deck, so that next morning out of a total strength of 108 officers and men only nine survivors were found, the rest having perished of cold and exhaustion, or having been swept off the decks. The survivors are the commander, the paymaster, boatswain, and six sailors, who saved themselves by taking to the last remaining boat, and drifting about for thirty-six hours, when they were picked up by a junk. On the morning after the wreck Her Majesty’s gun-boat ‘Insolent,’ accompanied by a French despatch vessel, cruised for a considerable time in the neighbourhood, but did not succeed in picking up any others of the crew.”



# OBITUARY

OF

## EMINENT PERSONS DECEASED IN 1864.

### MISS LUCY AIKIN.

THIS gifted lady, whose name recalls the literary celebrities and associations of the last century, closed her long life of eighty-three years on the 29th of January. She was the only daughter of the late John Aikin, M.D.—himself the author of many popular and useful works which attained a wide circulation. The well-known Mrs. Barbauld was his sister. Dr. Aikin carefully cultivated the talent which his daughter early displayed, and her literary attainments far exceeded those which at that period usually fell to the lot of her sex. The best French and Italian authors were familiar to her, and she read the Latin Classics with facility. Her father's studies were literary, historical, and biographical, and this naturally guided the course of his daughter's reading. In 1818 she produced her first historical work, "Memoirs of the Court of Queen Elizabeth." The plan comprehended the private life of the Queen, and the domestic history of the period; biographies and anecdotes of the principal families who formed her brilliant court; and notices of the manners, opinions, and literature of the age. The author had prepared herself for the work by careful research into the ample materials which the memoirs of that time furnish; they were skilfully condensed and combined so as to form an animated picture of England in a reign which Englishmen have always contemplated with pride. The public received it very favourably, and it was particularly gratifying to Miss Aikin to have gained the approbation of men so well qualified to judge as Pro-

fessor Smythe and Mr. Hallam. Two similar works on the Reigns of James I. and Charles I. followed, but they did not increase the reputation which the Memoirs of Queen Elizabeth had procured for the author. Miss Aikin also wrote many essays and papers for reviews, and contributed on several occasions to the *Annual Register*. She likewise published biographical memoirs of her father, and of Mrs. Barbauld. Both may be regarded as works of filial piety: for her aunt shared with her father in the reverence and affection with which she regarded the union of virtue and talent. The cast of her own mind fitted her better for sympathizing with the strong practical sense, the liberal views, and the literary diligence of her father, than with the sensibility and poetical elegance of her aunt. Her own principal poetical work, "Epistles on Women," is a specimen of that moral and didactic poetry of which Pope had given the model,—terse and compact in language and smooth in versification, but not aiming at the higher qualities of imagination or invention. With a taste formed in this school, and that of ancient literature, it is not wonderful if she had little relish for the works of those who have been called "the Lake poets."

Miss Aikin possessed in a remarkable degree the art of conversation. It was not, however, an art cultivated for display; whether in intercourse with a single friend, in a small circle, or an assemblage of persons of intellectual attainments equal to her own, there was the same flow of anecdote, quotation, and allusion, furnished by a most retentive

memory, and enlivened by wit and humour. She loved discussion, but was not always tolerant of opposition to her opinions. Her temper was quick, and her resentment strongly expressed when she thought injustice was done towards those whom she loved and revered, but her affections were warm, her friendships steady, and she discharged in an exemplary manner the painful duties which devolved upon her in the last years of her parents' lives.

After the death of her father, Miss Aikin removed to Hampstead, where the remainder of her life was chiefly spent.

Among the distinguished persons with whom she kept up a friendly intercourse were Mr. Mallet, an accomplished and elegant scholar; Joanna Baillie, and her sister Agnes; and Mrs. Hoare, at whose house she often enjoyed the society of Mr. Crabbe, the poet, and other literary men. For Mr. Hallam and his sound views in history, politics, and literature she felt deep respect, and had much pleasure in his society. At the house of her friend Mr. Justice Coltman, and elsewhere, she was often in the company of eminent lawyers and judges, with whom she held lively discussions on questions of historical and political interest. The extent of her reading, her retentive memory and bright intellect, lent great interest and charm to her conversation. For twenty years of her life Miss Aikin kept up a correspondence with Dr. Channing on all the interesting topics of the times.

Miss Aikin's principal works are,—*"Epistles on Women,"* published 1810; *"Lorimer, a Tale,"* 1814; *"Memoirs of Queen Elizabeth,"* 1818; *"Memoirs of James I.,"* 1822; *"Memoirs of Dr. Aikin,"* 1823; *"Memoirs of Mrs. Barbauld,"* 1825; *"Memoirs of Charles I.,"* 1833; *"Memoirs of Addison,"* 1843.

#### H.M. THE KING OF BAVARIA.

Maximilian II., King of Bavaria, whose decease took place on the 10th of March, was the eldest son of Louis I., King of Bavaria, by the Princess Theresa, daughter of Frederick, Duke of Saxe-Altenburg. He was born Nov. 28, 1811, was educated at the University of Göttingen, where he showed himself a laborious student, and afterwards he mixed as little as possible in public affairs, until the abdication of his father (March 21, 1848) called him, very unwillingly, from his books, and placed him on the throne. He conceded many liberal institutions to his subjects, and was deservedly popular among them, but his real taste and abilities were rather for

literature than for government, and his habitual associates were men of letters, and not statesmen. He, however, entered very warmly into the questions between Germany and Denmark, and lent all the influence of his Government to the furtherance of the Augustenburg succession.

The late king was a frequent traveller. He visited, in early life, Italy and Greece, and in 1853 he visited Naples and Sicily, and in 1857 Paris. But his chief honour was that he attracted to Munich the greatest and noblest intellects of Germany. Ranke was appointed to preside over a commission ordered to make researches into the history of the country; Liebig was made professor of chemistry; Siebold professor of physiology, anatomy, and zoology at the Munich Institute; and among other great men whom he patronized may be named Pfeiffer, Carrière, and Geibel.

King Maximilian married, on the 12th of October, 1842, the Princess Marie, daughter of the late Prince William of Prussia, by whom he left two sons; Louis (now King Louis II.), born Aug. 25, 1845, and Otho, born April 27, 1848. One of his brothers is Otho, ex-King of Greece; a second is Luitpold, the son-in-law of the displaced Grand Duke of Tuscany; and his sister Aldegonde is the wife of the expelled Duke of Modena.

#### SIR WILLIAM BROWN, BART.

This gentleman deserves to be commemorated as an example of that munificent and liberal spirit which characterizes some of the most eminent of those who have attained to great wealth by their exertions in the field of commercial enterprise. He was born at Ballymena in 1784, and was the son of Alexander Brown, a linen merchant, who afterwards settled at Baltimore, in the United States, and founded the firm of Brown, Shipley, and Co., usually acknowledged to be the leading house in the Liverpool and American trade, and the medium of enormous monetary transactions between England and America. At the age of sixteen, young Brown, who had been sent to England for education, went out to Baltimore, and was soon after taken into partnership by his father. In 1809 he came back to England, and established a branch mercantile firm in Liverpool, in connexion with the house at Baltimore. He became afterwards a banker in the sense of conducting transmissions of money on public account between the two hemispheres. In this pursuit and the business of a merchant, he acquired immense wealth, a large portion

of which he expended in erecting several magnificent suites of commercial offices in Liverpool. A few years ago he gained public celebrity by the bestowal of a munificent gift upon his adopted town. He erected the present Free Public Library and Derby Museum of Liverpool, which was opened in 1860, at a cost to himself of 40,000*l.*, the Corporation providing the site and foundation, and furnishing the building. In 1825, in conjunction with Mr. Huskisson, Sir William (then Mr.) Brown took an active part in improving the management of Liverpool Dock estate. In 1844, as the candidate of the Anti-corn-law League for the representation of South Lancashire, he was defeated by Mr. William Entwistle in the Conservative interest. This defeat led his party to agitate the 40*s.* freeholder question, and next year they succeeded in carrying Mr. Brown into Parliament as a representative of South Lancashire. In 1847, in 1852, and at the general election of 1857, he was again returned for the same seat, which he held until 1859, when he retired from public life. Mr. Wm. Brown was always an advocate of free trade, and particularly favoured the idea of a decimal currency. His first speech in Parliament was on Lord John Russell's proposal to continue the temporary suspension of the Corn and Navigation Laws. At the inauguration of the Volunteer movement in 1859, he raised and equipped at his own expense a corps of artillery, which is still in existence, and ranks as the First Brigade of Lancashire Artillery Volunteers. In 1863 he was raised to the baronetcy. His death took place on the 3rd of March.

#### THE EARL OF CARLISLE, K.G.

This amiable and accomplished nobleman, who, if he did not attain the highest eminence as a statesman, yet played no inconsiderable part in public life, and well maintained by his spotless character and conduct the dignity of his illustrious name, was removed by a rather sudden stroke of illness, which terminated his life but a few months after his retirement from the Vice-Royalty of Ireland, an office which he had administered with much honour and well-deserved popularity for several years.

Lord Carlisle belonged to the blood royal of the Whigs. His grandfather was one of the select few who, towards the close of the last century, clung to the fortunes of Charles Fox through bad and through good report. His mother was a sister of the Duke of Devonshire; his sister married the present Duke of Devonshire; another sister is the Duchess-Dowager of Sutherland; a third sister

married a son of Earl Grey; a fourth married Lord Taunton; his aunt married the late Earl Granville; the present Lord Granville is his first cousin; the Duke of Argyll married one of his nieces; Lord Grosvenor married another. In this great federation of Howards, Cavendishes, Greys, Gowers, Grosvenors, and others, the late Lord Carlisle held a high place. By his father a Howard, by his mother a Cavendish, he was born on the 18th of April, 1802. He was educated at Eton and Christ Church, and earned high reputation as a graceful scholar. He was especially distinguished for his skill in versification, and in 1821 obtained two of the University prizes for his poems—the Chancellor's prize for Latin, and the Newdigate for English verse. He took his degree in 1823, and belongs to that distinguished set of Christ Church who have taken first-class honours. He was first-class in classics. Born to the service of the State, he was early apprenticed to the work. He accompanied his uncle, the late Duke of Devonshire, on his visit to Russia at the coronation of the Emperor Nicholas, where his high rank, his youth, and his engaging manners, made him a great favourite in St. Petersburg society. He was afterwards returned to the House of Commons for the family seat of Morpeth; and one of his earliest speeches was in defence of the character of the Russian Emperor, who had been made the subject of severe attacks, in consequence of the cruelties practised on the Poles after the suppression of the Polish insurrection of 1830. This was not calculated to endear him to the Liberal party, to which, in accordance with the politics of his family, he had given in his adhesion; but in the agitation which took place on the Reform Bill, he enlisted himself on the side of Earl Grey, and on the dissolution of Parliament which followed the success of General Gascoyne's motion, he was returned for Yorkshire, which seat he held until the passing of the Reform Act in 1832. He afterwards represented the West Riding from 1833 to 1841, when he was defeated, but was subsequently returned on the elevation of the Hon. J. S. Wortley to the dignity of Lord Wharncliffe. Lord Morpeth then sat for the Riding from 1846 to 1848, when the death of his father caused his elevation to the peerage. He was Chief Secretary for Ireland from 1835 to 1841; and Chancellor of the Duchy of Lancaster from 1849 to 1851, which post he vacated on the accession of Lord Derby's ministry to office in 1852. During his temporary suspension from the representation of the West Riding, the Earl of Carlisle had travelled



in America, and had written an interesting account of his tour. When out of office, in 1853, he went a journey into the East, which he recorded in a work entitled "A Diary in Turkish and Greek Waters." He was named Lord Lieutenant of the East Riding in 1847, was elected Lord Rector of the Aberdeen University in 1853, and was created a Knight of the Garter in 1855. In that year he became, for the first time, Lord Lieutenant of Ireland, and commenced a career of popularity almost without example among Viceroy's. A change of the Government in 1858 removed him for a year from the Lord Lieutenancy, when it was held by the lamented Earl of Eglinton. Lord Carlisle returned to Ireland as Lord Lieutenant, for the second time, in 1859, and held his high office till the summer of 1864, when ill-health compelled him to resign it most reluctantly, for he had so gained the affection of the Irish people, and so reciprocated it, that his heart seemed to be in his government. He had won golden opinions from all sorts of people, for every one felt that he was truly honest, and that he laboured but for the peace and prosperity of Ireland. His departure from that country was a scene of real sorrow. The Earl stood, deeply affected, on the deck, and so long as the land he had loved and ruled so well was in sight he waved his hand in recognition of the friends he left behind him. He retired to his ancestral seat of Castle Howard, in Yorkshire, and, died there on the 5th of December, lamented deeply by the public both of England and Ireland, and by his relatives and his host of friends, with all of whom to know him was to love him. The Earl, like many people who are almost too good-natured, had scarcely full justice rendered to his sterling ability; but those who knew him intimately were convinced of his great powers of mind and judgment, and this was on one occasion generously acknowledged by his political opponent, Mr. Disraeli. Of blood and connexions the highest in the realm, there was a fascination about this peer which told with all, and he never failed to win welcome and affection, whether in the palace or in the houses of the middle classes, or even the cottages of his tenantry, which it was his frequent wont to visit familiarly. His nobility lay as much in his nature as his rank. The Earl, who was never married, was succeeded by his next surviving brother, the Hon. and Rev. William George Howard, of Christ Church, Oxford, Rector of Londesborough, Yorkshire. The Earls of Carlisle are a branch of the great family of Howard, Dukes of Norfolk, and

diverged from the main stem at the end of the sixteenth century, through the second son of Thomas, fourth Duke of Norfolk, Lord William Howard, Warden of the Western Marches, known as Belted Will Howard, whose great-grandson Charles Howard, an eminent diplomatist, was created Earl of Carlisle on April 30, 1661. From the first Earl the title has passed from father to son, through a succession of leading and estimable noblemen, most of them Knights of the Garter, to the Earl just dead; and it is now for the first time that the family honours are inherited by a brother. The mortal remains of Lord Carlisle were deposited in the mausoleum of his ancestors, in the park of Castle Howard. Pursuant to his own dying wish, there was but little pomp displayed at his funeral; but the vast and sorrowful congregation, of people of all ranks and degrees, including the tenantry and hundreds of strangers, marked how mourned was the loss, and how respected the memory of this amiable man.

#### JOHN CLARE, THE NORTHAMPTONSHIRE POET.

The life of this humbly-born, but not undistinguished rustic minstrel, terminated in the Northampton Lunatic Asylum, in which the latter years of his life had been passed.

He was born at Helpstone, on the 3rd of July, 1793, and was the only son of Parker and Ann Clare of that place. His father was a farmer's labourer. A poetical imagination manifested itself in John Clare at a very early age, from hearing his father read to him a poem which he used to say he thought was one of Pomfret's, though in after life he could not connect any poem of that author with the faint impression of it which he retained. He paid for his own schooling by extra work as a plough-boy and thresher. His schoolmaster was a Mr. Seaton, of Glington, an adjoining parish, who seems to have been very kind and liberal to him, giving him occasional rewards. When he was thirteen years of age a boy showed him Thomson's "Seasons," which so excited his feeling for poetry that he could not rest till he had saved a shilling with which to purchase one for himself. On a fine spring morning he set out for Stamford to buy the coveted treasure, and arrived there before any of the shops were open. His first poem is said to have been composed on his walk home through Burghley-park. His early education did not

extend to writing or arithmetic, for both which he was indebted to an excise officer, Mr. John Turnill, then at Helpstone. In 1817 he was employed at Bridge Casteron, in Rutlandshire, at nine shillings a-week, and fell in love with Martha Turner, who afterwards became his wife. Love seems to have stimulated him to turn his poetical faculty to pecuniary account, and he contrived to get three hundred prospectuses printed, which obtained him but *seven* subscribers. Indirectly, however, it led to the accomplishment of his object. He had appended to it a specimen sonnet, and a copy having accidentally fallen into the hands of Mr. Drury, a bookseller at Stamford, through his intervention the MS. of the proposed volume was put into the hands of Messrs. Taylor and Hessey, who gave Clare 20*l.* for it. The volume was brought out in Jan. 1820, and went through several editions; it was entitled "Poems Descriptive of Rural Life and Scenery, by John Clare, a Northamptonshire peasant." The attention of the public was awakened to the circumstances and the merits of Clare. The magazines and reviews were unanimous in his favour; and it is undeniable that these early poems are remarkable, considering the circumstances under which they were written, for their powers of description, for their enjoyment of nature, for their refinement of expression, and for their maturity of rhythm and general accuracy of rhyme.

Clare at this time was employed at lime-burning, his spare time being passed with his "Patty of the Vale," at the Walkherd Farm, in the parish of Great Casterton. Of the poems that formed the first collection, a few were among Clare's earliest efforts. "The Fate of Amy" was begun when he was only fourteen years of age. "Helpstone," "The Gipsy's Evening Blaze," "Reflection in Autumn," "The Robin," "Noon," "The Universal Epitaph," and some others, were written before he was seventeen. "The Village Funeral" was written in 1815; the "Address to Plenty" in December, 1817; the "Elegy on the Ruins of Pickworth" in 1818. In a note on the last-named poem Clare says, "It was written one Sunday morning after I had been helping to dig a hole for a lime-kiln, where the many fragments of mortality and perished ruins inspired me with thoughts of other times, and warmed me into song." In the fourth edition of this volume was inserted the song "Here we meet, too soon to part," which having been set to one of the airs of Rossini became exceedingly popular.

A notice of Clare's poems in the "London Magazine," from the pen of Mr. Octavius Gilchrist, of Stamford, greatly contributed to the rapid sale of the work. Among his other early patrons was the Rev. T. Mounsey, master of the Stamford Grammar School; he was the first who subscribed to Clare's intended publication of his own poems, and the first who gave any encouragement to his faint hopes of success. In a short time from the issue of the volume Clare was in possession of a little fortune. He was sent for to Milton House. Lord Milton (the late and fifth Earl Fitzwilliam) gave him 10*l.*, and several articles of clothing and furniture, to contribute towards the comfort of his father and mother. A few days afterwards the Marquis of Exeter invited Clare to Burghley House, when his lordship told him, as it appeared he was able to earn 30*l.* a year by working every day, he would allow him an annuity of fifteen guineas for life, that he might, without injury to his income, devote half that time to the writing of poetry. About this time the fourth Earl Fitzwilliam sent 100*l.* to his publishers, which, with the like sum advanced by them, was laid out in the purchase of funded stock, with the view of securing the poet from poverty for the remainder of his life. This fund, through the exertions of Lord Radstock, was augmented, until Clare became possessed of an income of 45*l.* per year. In the spring of that year Clare married "Patty of the Vale," "The Rosebud in Humble Life," or, to speak in prose, Martha Turner, the daughter of a cottager residing at Walkherd Lodge, and took her to the home where he was born, his father and mother residing with them. The issue of the marriage was four sons and three daughters.

In 1821 "The Village Minstrel, and other Poems" appeared. The first of these is in the Spenserian stanza, and describes the scenes, sports, and feelings of rural life. The descriptions of scenery, as well as the expression of emotion and generous sentiment in this poem, exalted the reputation of Clare as a true poet. He afterwards contributed short pieces to the annuals and other periodicals, marked by a more choice and refined diction. The next volume was issued in 1827, entitled "The Shepherd's Calendar: with Village Stories, and other Poems," dedicated to the Marquis of Exeter. "The Rural Muse," dedicated to Earl Fitzwilliam, published in 1835, was the last issued. Unfortunately Clare at one time engaged in farming, but with ill success, as he was, in truth, wholly unfitted for business which required com-

petition with his fellow men. His mind was active enough, but not in the direction in which money is made, and amidst accumulating difficulties he sank into nervous despondency and despair. He became an inmate of a lunatic asylum at Peckham, near London, where he remained about two years, until he made his escape from the institution, and succeeded in reaching Northborough, in a very wearied condition, not having had the means of purchasing the least sustenance. On his journey homewards he associated with some gipsies, with whom he exchanged a portion of his clothing, to prevent being seized as an escaped lunatic. It was proposed to send him back to Peckham, but his wife yielded to his earnest solicitation not to be sent there again. He remained at home about three years, until his malady manifested itself again, when he was conveyed to Northampton, where he died on the 20th of May.

Clare's residence at the Asylum was made as little irksome as possible : during the time that the late Dr. Prichard was superintendent, he was allowed to ramble about the neighbouring lanes and fields, and to come into the town, where his favourite seat was beneath the portico of All Saints' Church. Of late years it was found necessary to withdraw this privilege, and to restrict his walks to the ample grounds of the institution. He continued the habit of poetical composition to the last, and among the pieces which have been preserved are some which possess the beauty and coherency of the writings of his healthier days.

It was the intention of the Asylum authorities at Northampton to inter the remains of the deceased in the cemetery near that town; but on this fact becoming known to Mr. Spencer, of Woodcroft Castle, he took steps to secure the interment at Helpstone, poor Clare having expressed his wish to be buried in the churchyard of that village, under the branches of a sycamore-tree, a wish he had before mentioned in a sonnet in the second volume of his "Village Minstrel." The charge of the funeral was defrayed by the Hon. G. W. Fitzwilliam, at whose expense, since the death of his father, the third Earl Fitzwilliam, Clare had been maintained at the Asylum.

#### THE REV. DR. CURETON, F.R.S.

An Oriental scholar and theologian, well known for his learned treatises on questions of theological antiquities, Canon of

Westminster, and Rector of St. Margaret's. He was born at Westbury, Salop, in 1808, and was the second son of Mr. William Cureton, of that place. He was educated at the Free Grammar School of Newport, in his native county, whence he proceeded to Oxford with a Careswell Exhibition, at the age of eighteen, and the family circumstances becoming straitened by his father's death, he entered Christ Church as a servitor, in order that his mother might enjoy the full proceeds of his patrimony. He was a diligent student, and graduated in 1830. He was ordained deacon in 1831, and priest in 1832. In 1840 he was nominated one of the Select Preachers of the University of Oxford. In 1847 he was appointed Chaplain in Ordinary to the Queen, and in the following year he was selected by the Prince Consort to preach the anniversary sermon before the Corporation of Trinity House. In 1849 he became Canon of Westminster, Rural Dean, and Rector of St. Margaret's, Westminster. He took the degrees of Bachelor and Doctor of Divinity by accumulation in 1858, having been previously created Doctor of Divinity by an honorary diploma of the University of Halle. Dr. Gaisford, then Dean of Christ Church, made him a chaplain of his college, and obtained for him the post of Under Librarian in the Bodleian Library. He continued in that post until 1837, when he succeeded Sir Frederick Madden as Assistant-keeper of the Manuscripts in the British Museum. He was selected for this office on account of his special acquaintance with Oriental languages, particularly Arabic, to the study of which he had devoted himself from the year 1830, when he took his B.A. degree.

In the British Museum Dr. Cureton found employment suited to his tastes and studies. The duty assigned to him was the preparation of a classed catalogue of the Arabic portion of the collection. The first part of this work, comprising Christian writing and the divisions of Mahomedan theology, jurisprudence, and history, and in which every volume noticed was minutely described in Latin, was published in the spring of 1846. Much also of the material for the remainder of the catalogue had been prepared by him before the year 1850, when he resigned his appointment.

In the year 1841, the trustees of that institution acquired a very remarkable collection of manuscripts in the Syriac language, through the agency of Dr. Tattam, from the Monastery of St. Mary Deipara, in the desert of Nitria or Scete, not far from Cairo. On the arrival of the MSS.—the first portion in 1841,



the second in 1843—Dr. Cureton threw himself heart and soul into the study of the Syriac language and literature. On him in the first instance devolved the task of classifying the volumes, of gathering together, collating, and arranging the numberless fragments and loose leaves of which the Nitrian Collection consisted, and of drawing up a brief summary of their contents for the catalogue of Additional MSS. in the Museum.

One of the first results of these labours was an article in the "Quarterly Review," No. cliii., December, 1845, giving an account of the way in which the MSS. were procured, and a rough sketch of their contents; and in the same year appeared the first edition of the ancient Syriac version of the epistles of St. Ignatius to St. Polycarp, the Ephesians, and the Romans. The views propounded by Dr. Cureton,—that we have here the genuine epistles of St. Ignatius in their original form, that the previously known recensions of these three epistles are much altered and interpolated, and that all others ascribed to that Father are supposititious—excited much controversy in the theological world. While the Ignatian controversy was at its height, Dr. Cureton edited the text of a portion of the Syriac version of the long-lost "Festal Letters of St. Athanasius," of which he had been the discoverer. The preface to these letters contains an interesting account of the Nitrian Collection, more especially of a third portion, which reached the Museum in 1847. These letters have been translated into English by Burgess (1854), and form one of the volumes of Pusey's Library of the Fathers. A German translation, from the pen of the well-known Syrian Scholar Larsow, appeared in 1852.

In 1851 Dr. Cureton edited for the trustees of the British Museum the palimpsest fragments of the Iliad of Homer, contained in the Nitrian MS. now numbered Add. 17,210.

In 1853 there issued from the University Press of Oxford an important contribution to our historical knowledge—the third part of the "Ecclesiastical History of John, Bishop of Ephesus," edited by Dr. Cureton, from the Add. MS. 14,640. Of this he intended to publish a translation, but other labours prevented him, and his wishes were carried out by the Rev. R. Payne Smith, Sub-librarian of the Bodleian Library, whose version appeared in 1860. There is also a German translation by Schönfelder (1862).

Two years later Dr. Cureton published his *Spicilegium Syriacum*, and three years afterwards the last work that he was des-

tined to finish, "The History of the Martyrs in Palestine," by Eusebius of Cæsarea, taken from the same MS. from which Dr. S. Lee edited the "Theophania" of that Father.

On the 29th of May, 1863, Dr. Cureton met with a severe railway accident while returning with his family from Eastbourne, the effects of which he felt until his death, which took place on June 17th in this year.

As a literary man he bore a very high character. He was an active member of several societies for the cultivation of Oriental literature. In 1855 he was elected a corresponding member of the Institute of France, to supply the vacancy caused by the death of Dr. Gaisford, and in 1860 he succeeded Professor Wilson as Foreign Associate of the Institute. He was also a member of many other learned societies of Europe, and a Fellow of the Royal Society of London. In 1859 he was appointed by the Queen the Crown trustee of the British Museum.

But though much engrossed by literary pursuits, Dr. Cureton felt a deep interest in all those committed to his spiritual charge. Through his exertions the Church of St. Andrew, in Ashley-place, Westminster, was built and consecrated.

His parishioners manifested in many ways their appreciation of his services, and evinced their regret for his loss on the occasion of his funeral.

#### WILLIAM DYCE, R.A.

This accomplished man, the incidents of whose life are of more interest than is usual in the case of artists, was born at Aberdeen, in 1806. His father was a physician of good repute, and Fellow of the Royal Society; a cousin is the Rev. Alexander Dyce, the eminent Shakspearean critic, and editor of the early English dramatists. The future painter was educated at Marischal College, took his degree of M.A. at sixteen, and it was then proposed that he should study the profession of medicine; but such was his natural bias towards art, that he was permitted soon after leaving College to enter the Royal Scottish Academy, and made his first appearance as a classical artist at one of the exhibitions. In 1825 he visited Italy, and for nine months studied in Rome, returning in the following year to Aberdeen. In 1827 he went again to Rome, where he imbibed those habits of reverent and solemn study of religious subjects which distinguished him through life. From 1830 to 1838 the artist lived in Edinburgh, but, finding small encouragement in his attempts at historical painting,

he set himself to work at portrait painting, and was successful, especially in the likenesses of children. In 1835 he became an Associate of the Royal Scottish Academy, and in the following year he exhibited his "Descent of Venus" at the Royal Academy of London.

In 1838 Mr. Dyce left Edinburgh, on being appointed superintendent and secretary of the new Government School of Design at Somerset House. He obtained this office through a letter addressed to Lord Meadowbank, in which he advocated the improvement of the schools of design belonging to the board of trustees for the manufactures of Edinburgh. In 1843 he resigned his appointment at the School of Design, and was appointed Inspector of the Provincial Schools. In 1844 he exhibited a picture of "King Joash shooting the Arrow of Deliverance," which secured for him the honour of being elected an Associate of the Royal Academy. In 1844 he sent to Westminster Hall examples of fresco—"Two Heads," part of a larger composition, "The Consecration of Archbishop Parker in Lambeth Palace, A.D. 1559." In the next year he received from the late Prince Consort instructions to paint frescoes for the summer-house of Buckingham Palace; and subsequently he was similarly employed at Osborne.

When the leading artists of England were asked to join in a project for decorating the Houses of Parliament with frescoes, Mr. Dyce was associated in the work with Mr. Maclise, Mr. Cope, Mr. Horsley, Mr. Tenniel, and Mr. E. Armitage. Almost constant ill-health, however, greatly retarded his progress, and at last obliged him to abandon the task, but not until he had executed some noble works, as the "Baptism of Ethelbert," and a few of the pictures from the Legends of King Arthur, in the royal robing-room. Insufficient allowance was made for the difficulties under which he laboured, and he was exposed to undeserved reproaches both in Parliament and with the public, which bitterly mortified him, and aggravated his illness. At last he formally resigned the task, and offered to refund the sums of money that he had received, but the Lords of the Treasury declined to allow him to do so.

The first picture exhibited by Mr. Dyce at the Royal Academy was "Bacchus nursed by Nymphs." From that time till about two years prior to his death his works were rarely absent, his most recent ones being "St. John leading home the Virgin," and "George Herbert at Bemerton." He had recently been known chiefly for his splendid frescoes in All Saints', Margaret-street. To this work he

devoted his powers for many years, and he succeeded in producing an artistic work, unique of its kind, which will hand down its author's name to posterity, as one of the first artists in England. Churchmen owe Mr. Dyce a debt of gratitude for the splendid east wall of that edifice, the first, and a most successful attempt, at any thing like real painting in an Anglican church; but it is much to be regretted that the necessarily imperfect light greatly obscures the beauty of the best of the frescoes, that of "Our Lord in Glory."

Mr. Dyce held the office of Professor of the Theory of Fine Arts in King's College, London, and was a member of the Academy of Fine Arts of Philadelphia, U.S., and an honorary academicien of the Royal Scottish Academy. Among his many works may be mentioned as best known—"St. Dunstan separating Edwy and Elgiva," "Titian and Irena da Spilemburgo," "Omnia Vanitas," "The Meeting of Jacob and Rachel," and "Lear in the Storm." He was also an accomplished musician, one of the first in the work of reviving the study of music of the Palestrina School, which he imitated in some compositions that were published in a collection of services and anthems well known in the early days of the Motett Society, of which he was one of the founders.

Mr. Dyce was an author as well as an artist. In 1844 he published an edition of the Common Prayer, with its ancient Canto Fermo, accompanied by a dissertation on that kind of music and its applicability to English words; and in 1851 a theological pamphlet entitled "Notes on Shepherds and Sheep," in reply to Mr. Ruskin's "Notes on the Construction of Sheepfolds." He was an extensive contributor to periodical literature, chiefly on subjects relating to ecclesiastical antiquities, and was the author of pamphlets on the keenly debated subject of the future management of the National Gallery. Mr. Dyce died on the 14th of February.

#### THE BISHOP OF ELY.

The Right Rev. Thomas Turton, D.D., the 56th Bishop who has held the See of Ely, was born in 1780, and in 1801 entered Queen's College, Cambridge, but two years afterwards migrated to St. Catherine's Hall. In 1805 he proceeded to his B.A. degree, being the senior wrangler of his year, and bracketed first Smith's prizeman with Mr. S. C. Hunter, of Trinity College. In the following year he was elected a Fellow of St. Catherine's. In 1822, on the death of Professor Woodhouse, he was elected Lucasian Professor. In 1827, on

the resignation of Bishop Kaye, Mr. Turton was appointed Regius Professor of Divinity, and in the same year was collated to a prebendal stall in Lincoln Cathedral. In 1830 he became a canon of Peterborough, and shortly afterwards Dean of that Church, on the promotion of Dr. Monk to the Bishopric of Gloucester and Bristol. In November, 1842, he was nominated by Sir Robert Peel, who was then Prime Minister, to the Deanery of Westminster, to which is annexed the Deanery of the Order of the Bath; and in 1845 the same Minister recommended him for the Bishopric of Ely, to which he was consecrated on the 4th of May in that year. Among Bishop Turton's published works are "The Text of the English Bible as now printed by the Universities, with reference to a Report by a Sub-Committee of Dissenting Ministers" (1833); "Thoughts on the Admission of Persons, without regard to their Religious Opinions, to certain Degrees in the Universities of England" (1834 and 1835); "Natural Theology, considered with reference to Lord Brougham's Discourse on that Subject" (1836); "The Roman Catholic Doctrine of the Eucharist considered, in Reply to Dr. Wiseman's Arguments from Scripture" (1837); and "Observations on Dr. (now Cardinal) Wiseman's Reply to the preceding Work" (1839). He was a man of considerable learning, and skilled in controversial argument. He died on the 7th of January, at the advanced age of eighty-three.

#### THE RIGHT HON. THOMAS ERSKINE.

This learned judge and estimable man was the third son of the greatest of English advocates, Lord Erskine. He was born March 12, 1788, and received his early education at Harrow. He took an honorary M.A. degree at Trinity College, Cambridge, in 1811; was called to the Bar in 1813, and became a King's Counsel in 1827. On the institution in 1831 of the Court of Record in Bankruptcy, Mr. Erskine was appointed the Chief Judge, and was sworn a member of the Privy Council. In 1839 he was transferred from the Bankruptcy Court to a judgeship in the Common Pleas. This honourable post he was compelled to relinquish in Nov. 1844, in consequence of the state of his health, which then appeared precarious; yet his life was prolonged in spite of many infirmities, and nearly twenty years elapsed between his retirement from the Bench and his death, which took place on the 9th of November in this

year. Mr. Erskine was a man of genuine worth, well-cultivated intellect, and most amiable manners. He enjoyed the warm regards of numerous friends, and had no enemy.

#### PROFESSOR FERRIER.

James Frederick Ferrier, Professor of Morals and Political Economy in the University of St. Andrew's, was born at Edinburgh, in 1808. He graduated B.A. at Oxford in 1832, and was admitted to the Scottish Bar in 1833. In 1843 he was elected to the Chair of History in the University of Edinburgh, and in 1845 to that of Moral Philosophy at St. Andrew's, which he held till his death on the 11th of June.

Mr. Ferrier was the nephew of the accomplished authoress of "Marriage" and "Inheritance," and was the son-in-law of Professor Wilson. He was a frequent contributor to "Blackwood's Magazine," in which he wrote many papers on philosophical and literary subjects. At the University of St. Andrew's his lectures on Moral Philosophy were marked by unusual learning and acuteness, as well as by independence of thought and felicity of style. In 1845 he published his "Theory of Knowing and Being," which, whatever may be thought of its value as an attempted solution of a great metaphysical problem, contained many incidental discussions of singular acuteness and force. Mr. Ferrier was not a philosopher alone, but a man of letters and of general cultivation, taking an interest in the beautiful and humorous—in poetry and illustrations of life and character—as well as in those more severe studies to which he owed his fame. His conversation was always free and animated, and his manners highly pleasing, and wholly free from pedantry. His death makes another gap in that accomplished literary circle of which Lockhart and Wilson were chief ornaments, and whose congenial organ was "Blackwood's Magazine." His loss will be acknowledged by Scotchmen of all parties, and of every school of opinion, for all could appreciate his great accomplishments, his rich stores of art and humour, his philosophical power, and those comprehensive and genial sympathies, which were the characteristic of his nature.

#### SIR JOHN WATSON GORDON.

This excellent artist, the President of the Royal Scottish Academy, was the eldest son of Captain James Watson, R.N., and was born in Edinburgh in



1770. He was descended from the Watsons of Overmains, a respectable Berwickshire family, and through his father could claim kindred with Sir Walter Scott, and through his mother with Robertson the historian, and Falconer, the author of the "Shipwreck." His father rose to the rank of post-captain in the navy, and was present at the siege of Gibraltar, and at Admiral Keppel's famous action. Young Watson studied for four years under John Graham, in the Trustees' Academy, where Wilkie and Allan were also students, and dallied for a time with historical and fancy painting, before he discovered that the true bent of his genius lay in another direction. He early devoted himself, however, to portrait painting, and pursued it with the unwearied diligence and industry which marked his character. During his long career he painted many of the most eminent citizens of Edinburgh, as well as many of the most distinguished Scotchmen resident elsewhere. Sir Walter Scott, Professor Wilson, Dr. Chalmers, Principal Lee, Dr. Brunton, Lord President Boyle, the Duke of Buccleuch, the Earl of Dalhousie, the Provost of Peterhead, the Earl of Aberdeen, Lord Dunfermline, are but a few among the vast gallery of distinguished Scotchmen who still live on his canvas, and serve to prove his excellence in that delightful branch of art which "diffuses friendship and vivifies tenderness, animates the affections of the present, and preserves the presence of the dead." Yet, though the acknowledged successor of Raeburn, Sir John Watson Gordon was no copyist or imitator of that great artist. No two styles can be more dissimilar. Raeburn took the poetical side of the Scotch character; Sir John the prosaic. The former idealized his portraits; the latter was strictly realistic.

Sir John Watson Gordon was one of the earliest and most strenuous supporters of the Royal Scottish Academy, and to him it owes much of its prosperity; and especially the formation of a good gallery of pictures at a very moderate cost—a result which was in a great measure owing to his correct and discriminating judgment. Nor was the Academy ungrateful for this assistance, nor unmindful of Sir John's great professional merits; for, on the death of Sir William Allan in 1850, he was elected President of the Academy in his place, and at the same time received the honour of knighthood, and the appointment of limner to Her Majesty for Scotland. At the close of that year, the *élite* of the northern metropolis in art, science, and literature, entertained Sir John in the Waterloo Rooms, in order to

celebrate his election as President, and to mark their appreciation of his amiable personal character.

In 1851 Sir John was elected Academician by the Royal Academy of London; and in 1855 he sent to the Universal Exposition of Paris two portraits, for which the jury awarded him a first-class medal, and which are highly praised by that accomplished critic, Théophile Gautier, in his review of that Exhibition.

Until the sudden attack which carried him off on the 1st of June, Sir John preserved his firmness of hand and correctness of eye unimpaired, and his pictures in the Edinburgh Exhibition of the present year showed no traces of failing vigour—indeed, the portrait of Archibald Bennet, Esq., which was one of them, may justly be ranked among his most successful efforts.

The professional character of the deceased is thus estimated by a contemporary critic:—

"Apparently almost heedless of colour, this artist seized with extraordinary vigour the salient points of a sitter's countenance, and gave them with the force of life. It would seem that not even Reynolds surpassed his brother knight in the swift and certain manner of his practice. Very often his pictures were little else than sketches on a large scale. This has been especially the case of late years, and is remarkably so in the portraits now in the Royal Academy; but even these display such admirable mastery of form, and knowledge of personal character, that they are more precious than most men's complete likenesses. Gordon's feeling for tone exhibited itself in every work he produced, and really did, in some degree, compensate, by the richness of its manifestations, for the effect of what was with him something approaching colour blindness. The last-named shortcoming was less perceived in Edinburgh than in the metropolis—an effect to be expected. It should be said in his honour that he always painted in a manly way; never exaggerating or aiming at sentiment, he never fell into sentimentality. He could put a figure on the canvas better than any of his contemporaries who were portrait painters. The characteristic love of the mass of his sitters for black garments found no corrective in Gordon's mind or taste; he not unfrequently sacrificed too much of the general brilliancy of his pictures to the effectiveness of the head; but that head was always worth looking at when you got to it."

## NATHANIEL HAWTHORNE.

This eminent American novelist was born at Salem, Massachusetts, July 4, 1804. His family, which originally came from England, had been traditionally devoted to the sea, and one member of every generation since its arrival in America had sought his living upon that element. His father was a sea-captain, and died at Havannah, of yellow fever, when the son was but six years old; and at the age of fourteen the latter was sent to a farm, on the borders of Lake Sebago, in Maine. He returned to Salem, to complete his studies, and then entered Bowdoin College, where he graduated in 1825, in the same class with Longfellow, and where he was the intimate friend of Franklin Pierce (afterwards President). After leaving college, young Hawthorne's manner of life was, for a year or two, in every way an eccentric one. During the day he lived a recluse even from his own family, and at night would wander abroad, dreaming of wild stories, of goblins, phantoms, and fairies. His first known productions were some stories contributed to "The Token," a magazine commenced by Griswold, about the year 1826, which were in 1837 collected and published in a separate form, under the apposite title of "Twice-told Tales;" but though much eulogized by his friend Longfellow at the time, they did little towards the achievement of that permanent popularity which their author afterwards obtained. In 1838, Mr. Bancroft, being then Collector of the port of Boston, procured for him the appointment of weigher and gauger in the Custom-house of that City. In spite of his romantic and poetical tendencies, he proved, in this post, an excellent man of business, was highly esteemed, and a special favourite with sailors, until his removal by President Harrison in 1844.

Mr. Hawthorne now turned his attention to agriculture, and being one of the founders of "The Association for Agriculture and Education," joined the working members of that body at Brook Farm, West Roxbury, Massachusetts. He did not, however, reside there many months, but having returned to Boston, married, and took up his abode at the old Rectory-house of Concord, the same that had once been inhabited by Emerson. It was here that he published, in 1846, "Mosses from an Old Manse," a work more highly appreciated in America than in Europe. The next year, President Polk being at the head of the Government, and his former patron, Mr.

Bancroft, Surveyor of the Navy, Mr. Hawthorne received the appointment of Surveyor of the Port of Salem. It is probable that during his tenure of office he composed his well-known romance, "The Scarlet Letter," though it was not published until 1850, as there is a distinct description in it of the Old Salem Custom-house. In 1849 he was superseded, and in 1851 he published his "House with Seven Gables," which was succeeded in the following year by "The Blithedale Romance," a story founded on reminiscences of his life at Brook Farm. His "Life of Franklin Pierce" was published during the canvass which preceded Mr. Pierce's election; and the new President signified his gratitude by giving Mr. Hawthorne the place of United States' Consul at Liverpool, said to be the most lucrative at that time in the President's gift. This office he resigned in 1857, and, after a period of Continental travel, returned to the United States, since which his "Marble Faun," "Transformation," and other works have appeared. His last production, entitled "Our Old Home," contains many charming descriptions of interesting spots in England, but is marred by some rather offensive remarks on the English people, which took his admirers by surprise, from their contrast to the general tone of his other writings, and seem to have sprung from political causes.

Mr. Hawthorne had been in but feeble health for some time past, and had undertaken a journey in consequence. He retired as well as usual, and was found dead in his bed on the morning of the 19th of May. His reputation as a remarkable writer of fiction, and an agreeable essayist, was by no means confined to the United States. His most important works have been republished and widely read in England, and some of them, in the form of translation, have been popular in Germany.

## THOMAS COLLEY GRATTAN, ESQ.

This gentleman, with whose name the public have been familiar for nearly forty years as the popular author of "Highways and Byways," was the son of an Irish gentleman of good family, a scion of the same stock from which the celebrated Henry Grattan sprang. Born in the county of Kildare in 1796, he was brought to Dublin at an early age to prepare for a commission in the army; but his prospects of a military career being overthrown by the peace which followed upon the battle of Waterloo, he was on the point of starting for South America, to

join Bolivar and his patriot friends, when he met a lady whom he shortly afterwards married, and instead of a voyage to South America he journeyed to the south of France. Taking up his abode there, he began to devote himself to literature, and the first fruits of his labours appeared in a poetical romance entitled "Phillibert," before he was five-and-twenty. His "Highways and Byways," appearing in 1823, made his name widely known both at home and abroad, and his reputation was increased by a second and third series, which followed at short intervals. Removing from Belgium about 1829, he settled down at Brussels, where he became correspondent to one of the daily London Papers. In 1830 the Revolution drove him to the Hague, and he employed his residence in that capital in writing his "History of the Netherlands," which appeared in "Lardner's Cabinet Cyclopædia." On this speedily followed his other works, "Traits of Travel," "The Heiress of Bruges," and "Jacqueline of Holland," "Legends of the Rhine" (compiled during a stay at Heidelberg), and "Agnes of Mansfeldt." Returning to Brussels soon after the establishment of Belgium as a kingdom, he became intimately acquainted with King Leopold, who was mainly instrumental in obtaining for him the British Consulship at Boston, which, while it increased his income, withdrew him from his literary friends and avocations. Whilst in America he made himself useful to Lord Ashburton in his mission for the purpose of settling the "Boundary Question," and when he returned to England in 1845 or 1846 he was allowed to hand over his consulship to his son. After that date Mr. Grattan resided almost entirely in London: his pen, too, was not idle, for in 1859 he gave to the world his "Civilized America," and in 1862 his "Beaten Paths, and those who tread them,"—a collection of reminiscences almost wholly personal. Mr. Grattan was also during the later years of his life a frequent contributor to the "Edinburgh Review," and to other periodical literature of a high class. His last publication was a pamphlet on the American question, in which he strongly urged the propriety of recognizing the Southern Confederacy. Mr. Grattan died in London on the 4th of July, at the age of sixty-eight.

#### WILLIAM HUNT.

The life of modern artists, unlike those of older date, is generally an uneventful one; and Mr. Hunt's was peculiarly so.

Born in 1790, at No. 8, Belton-street (now called Endell-street), Long-acre, he seems from the first to have derived his best art-education from the teachings of nature's "common things," and to have gone through little academic schooling. He first exhibited as a member of the Society of Painters in Water Colours, in 1824. From that time to this—that is, for forty long years—William Hunt trod the same road in all earnestness and humility—ceaselessly recording by the way the simplest facts of lowly English rural life and scenery, and the beauty of bud and blossom, fruit and flower, that bordered his path. The English peasant boy was always a favourite subject with the painter during many generations of the same. He is painted with evident gusto in smock frock and corduroys—ill-favoured, stolid, just as he is, often with irrepressible humour, but always unaffectedly and entirely free from that conventional picturesqueness with which so many painters contrive to deprive such subjects of interest. Mr. Hunt has presented him to us in the most undignified situations, under circumstances which would have made the representation hopelessly vulgar in other hands: yet our laugh at the awkward bumpkin has never lessened our respect for the painter. Whether the boy has been attacking a meat pie with the energy of a young savage, or is audibly asleep after clearing the immense dish; whether shivering in the winter cold, or scalding his hungry mouth with hot porridge; whether grinning from ear to ear, or puckering up his lips into a white star, blowing bubbles, or before his fierce swoop upon a fly to be used for piscatorial purposes; whether spelling his puzzled way through a newspaper, scratching his shock head over his slate, playing in the fields, or cozily dozing in the chimney-corner; "scared," "astonished," "panic-stricken," or terrifying his juniors with a "paper lantern," or a "turnip bogie," aping his seniors, or contemplating the charms of some "sleeping beauty," and affording a new reading of "Cymon and Iphigenia"—through all his chequered experiences of joy and sorrow the painter's truth to nature invariably compels interest and admiration. A less extensive but similar series of portraits was furnished by the "peasant girl," showing her often as "the village pet," or "farmhouse beauty;" sometimes as "nursing a pig," then again in her best frock as a "Sunday scholar," or a tattered orphan in prayer, and called "Devotion." Occasionally these were diversified with labourers, vagrants, gipsies, a "hermit," an "old pilot," a "fisherman." The painter always showed a



kindly interest in the coloured races. Among old catalogues there is a frequent recurrence of mulatto girls, negro boys, "Massa Sambos," and "Topseys." A few of his figure-subjects have a higher aim, such as various versions of "Devotion," "The Oratory," "Asking a Blessing," &c. And there are a few miniature portraits of himself and his friends.

It is not easy to indicate the range and variety of his still life painting, gathering, as he did, his subjects from the hedge-row, the field, the orchard, the flower-garden, the hothouse, the conservatory, the kitchen, the drawing-room, the game preserve, the woods, the sea-shore. He scarcely ever let early spring pass without going into the fields to gather a "bunch of May," as, like a genuine rustic, he names the hawthorn-blossom. Apple-blossoms and apples, grapes, plums, quinces, pineapples, birds and birds' nests, preserved ginger, primroses, and mossy stones—"a chick," shells, a dried pilchard, and some other subjects painted for Mr. Ruskin, to be presented to schools of art—have in turn employed his unrivalled powers of imitation. Lastly, there is a long list of interiors, of cottage, hay-loft, and old baronial hall; of church, wood-house, laboratory, kitchen, and drawing-room; together with a large number of studies of landscape, sea, sky, and foliage.

It follows, from what we have already said of Mr. Hunt's painting, that the very essence of his works can never be reproduced in another medium. "The Laboratory," "The Attack," and "The Defence," and several others, have been engraved or lithographed; but their choicest virtue and beauty have been necessarily lost in the process. Photography is, from the great difference in the activity of various colours, a still more imperfect translator. The chromolithographic so-called "reproductions" of fruit pieces by Hunt are also very inadequate. Chromolithography is legitimately and usefully employed in diffusing the works of many artists, but the drawings of William Hunt are among the number of those which no mechanical process should pretend to reproduce.

We have only to add a word or two on Mr. Hunt's last illness. Like Mulready, he died very shortly after performing a duty to the particular art-body with which he was connected. Mr. Hunt had long been debarred, in a great measure, by an infirmity, from the pleasures of society; but his health permitted him, a few days before the day (Feb. 10) on which he died, to work at his easel till midday, and then to visit the gallery in Suffolk-street, where the competition pictures of the candidates

for associateships of the Water-Colour Society were exhibited. Indisposition set in soon after he returned home, and this was quickly succeeded by paralysis. Mr. Hunt had been elected an honorary member of the Academy of Amsterdam, in addition to being a member of the Water-Colour Society.

#### WALTER SAVAGE LANDOR.

A writer of no ordinary powers, gifted with considerable poetical talent, and a lively and fervid imagination. He was the son of Walter Landor, Esq., of Ipsley Court, Warwickshire, by his second marriage with the daughter and coheirress of Clarke Savage, Esq., of Tachbrook, was born January 30, 1775; was sent first to Rugby and afterwards to Trinity College, Oxford, but his conduct at both places was insubordinate, and he never took a degree. From his earliest years he exhibited a strange intractableness of temper, and he now declined to enter the army, or to study the law, or, indeed, to take any step that his friends urged upon him. But he early showed that he possessed great abilities, and in his twentieth year he published "A Collection of Poems," which was followed by "Gebir" (1798), and "Poems from the Arabic and Persian" (1800). His principles, both in religion and politics, being founded on an almost exclusive study of classic models, had scant regard for creeds or kings; they were widely different from those of most men of his day, and his relations with his family became thereby so unpleasant that he left England and travelled on the Continent for some years amid all the difficulties and dangers that a very outspoken hater of Frenchmen in general and of the rule of Bonaparte in particular could be exposed to. When the Spaniards rose in arms in 1808, Mr. Landor, who had now become the owner of the family estate by the death of his father, and was a man of large property, embraced their cause with ardour, made a handsome contribution to the funds of the Junta, and received in return a colonel's commission, though we are not aware that he ever distinguished himself in the field. In 1814, on the restoration of Ferdinand VII., he quitted Spain, and the remainder of his long life was passed in literary occupation, though his works are by no means numerous.

In 1811 Mr. Landor married a lady of German parentage, by whom he had a family, but the union was not a happy one. His ideas of domestic life appeared to be formed rather on the classic model ;

and at length a separation ensued, when he returned to England, after an absence of several years. He was an intimate friend of Southey, though he retained and even exaggerated all the wild notions that the latter had abandoned, a point that was not overlooked by Lord Byron, who reproached the Laureate for his intimacy with an avowed Republican, and but half-concealed Pagan. Thenceforth Landor was at daggers drawn with Byron, as indeed he was with many people, his temper being fierce and irritable, and, as it would appear, never kept under control. In 1824 the first series of his "Imaginary Conversations of Literary Men and Statesmen" was published, which was followed by a second series in 1829. This is the work on which his fame as a writer must rest; it shows the profound classic erudition of its author, and even the Quarterly Reviewer (not Southey) confesses that "there is in it a good deal to be admired, and some little to be approved." The same criticism may justly be extended to his other works; their style, at least, is almost faultless, and some of their sentiments are to be commended. Among other works Mr. Landor published a couple of plays, "Hellenics" (1847), *Poemata et Inscriptiones* (1851), "Popery, British and Foreign" (1851), and "The last Fruit off an old Tree" (1853); beside a stinging "Satire on Satirists, and Admonition to Detractors" (1836). He resided at Bath for several years, where in 1856 an action was brought against him by a lady, for defamation, and heavy damages were awarded against him. Resolved not to pay them, he again retired to Florence, where the remainder of his life was passed.

Though, as before stated, Mr. Landor's conduct at Rugby was a source of trouble to his tutors, some anecdotes of him at the latter seminary, contributed by a schoolfellow, will be read with interest.

"Walter Savage Landor was sent to Rugby at the age of eight years, in 1783. His first battle in his first half-year was with Arthur Clifton, now Gen. Sir Arthur Clifton, K.C.H. and K.C.B., an old Peninsular and Waterloo officer, and at this time the oldest Rugbeian. He had another battle with Walter Birch, afterwards Fellow of Magdalen College, Oxford, and got well thrashed, and according to his own account deservedly so. Walter Birch was afterwards one of his greatest friends. Another great friend was Cary, formerly Sub-librarian to the British Museum, and translator of Dante, whom he spoke of as an excellent man, an excellent scholar, and the best of translators. At one period he and Butler were the only two

prepostors that did Greek verses. Butler was the first scholar of his day at Cambridge, and was afterwards Head Master of Shrewsbury School, which office he resigned when appointed Bishop of Lichfield and Coventry in 1836. In those days Dr. James, an Etonian, introduced the Eton custom of having the title of 'Mr.' prefixed to the names of the sons of noblemen in the school list. Prepostors then called over the names, but Landor on these occasions would always omit the title of 'Mr.' to the great annoyance of the Head Master. It was not on this account, however, as the boys believed, that Dr. James desired his father to remove him; the real reason was, his habit of introducing into his school verses satires against the Head Master and other authorities. Some years afterwards he met Dr. James at a friend's in Worcestershire, and both were equally cordial."

Mr. Landor died at Florence, on 17th September, at the advanced age of eighty-nine.

#### MR. JOHN LEECH.

This popular artist and accomplished man was the son of Mr. John Leech, of the London Coffee-house, Ludgate-hill, and was born in 1817. He was educated at the Charterhouse, and was afterwards placed with a medical practitioner at Hoxton, an eccentric man who, as Mr. Rawkins, is depicted in Albert Smith's "Adventures of Mr. Ledbury." John Leech diversified his medical studies by pen-and-ink sketches of his master and his fellow-students, and some of these falling in the way of the Rev. Mr. Barham, the author of the "Ingoldsby Legends," the young man was by him introduced to Mr. Bentley; an engagement to illustrate the "Legends" followed, and the medical profession was at once abandoned. Very soon after "Punch" was started, Mr. Leech joined its staff, and he continued so engaged, among other occupations, for the rest of his life; his first sketch, entitled "Foreign Affairs," appearing in August, 1841, and his last upon the day of his funeral. Of these drawings a writer in the *Edinburgh Courant* thus speaks:—

"By them he may be said, in fact, to have created a new school of art. Nominally a caricaturist, he turned out weekly for many years charming little pictures which it would have been libellous to call caricatures at all—scenes of English life of every class, rural, domestic, and maritime; girls, delightful not more by their beauty than their grace; swells whom, through every excess of affectation and insipidity, you saw still to be gentlemen;

coachdrivers whom you longed to treat to brandy-and-water; brisk little Cockney snobs whom you laughed at, but somehow could neither despise nor hate. The artist, it was plain, was essentially a genial humorist, inferior no doubt in poetic imagination and fancy to Doyle, but akin by his talent and his taste to the Thackerays and Trollopes of his generation. The kind of work of which we have spoken was the characteristic work of Leech. He produced admirable political caricatures. But there he was often only embodying with his pencil another man's wit. But although this kind of help is most valuable to a comic artist, still it leaves his proper originality untouched. The stories are soon common property in any case. But to give them reality, to clothe them with form, to make them live before the eye with a new and permanent life, is the artist's gift. The richness and variety of these situations in Leech, and still more their naturalness, their refinement and purity, may be favourably contrasted with the comic delineations of even such able men of the old school as Gilray!"

Mr. Leech was much liked by his private friends, though to casual acquaintances he appeared reserved. He was a most laborious worker, and almost all the recreation that he took was but work of a different kind, for it was had in the hunting-field, where he learned to paint the admirable horses and hunting scenes with which he made the world familiar in "Punch," and in the drawings which he supplied to the works of the late Mr. Surtees; this recreation he was at length obliged to abandon on medical advice, and he never took heartily to any other.

To provide for certain members of his family he worked harder than he would otherwise have done, and his labour in connexion with the exhibition of his sketches at the Egyptian Hall a couple of years ago did serious injury to his health. He also suffered from *angina pectoris*, possibly inherited, but unquestionably aggravated by overwork. As is not unusually the case, his disease produced a great amount of irritability. He left his house in Brunswick-square partly because he was constantly annoyed by the organmen, and removed to Kensington; but no sooner was he settled there than he was distracted by the noise made by a wheelwright who occupied premises at the back of the house, and who commenced hammering at four in the morning. The barking of dogs, the crowing of cocks, all harsh sounds, had a peculiarly irritating effect upon him, and it was useless to attempt to persuade him that he laid too much stress on such annoyances. He de-

clared that "they would kill him," and the foreboding no doubt had a most unhappy effect on him. In the summer of the present year, his health being very seriously impaired, he went to Homburg, where he remained for six weeks. On his return to England he went to Whitby, where he remained a month, and he seemed decidedly benefited by the change. But the improvement was not permanent; he gradually fell into his old state. On the day before his death, October 28th, he walked out with a friend, and his demise was so sudden that a children's party was in his house at the time. He was buried in the Kensal-green cemetery, beside his friend Thackeray, and his funeral was attended by a large throng of his friends and admirers, comprising many of the eminent artists and literary men of the day.

#### MR. JOHN RAMSAY M'CULLOCH.

Mr. M'Culloch, the well-known author of many books of high authority upon topics of political economy and national finance, died on the 11th Nov., at the Stationery Office, of which establishment he had been Comptroller for many years. He was born at Whithorn, in Wigtonshire, on March 1, 1789. His family possessed a small freehold estate called Auchengool, in the stewartry of Kirkcudbright, to which Mr. M'Culloch succeeded on the death of his paternal grandfather, who had been in the Royal navy, and commanded a revenue cutter. His father, who died when he was about five years of age, had followed no profession. From his maternal grandfather, the Rev. Dr. Laing, Mr. M'Culloch received his early education; that is, he was "grounded" in his mother tongue, with some elementary instruction in the dead languages. On leaving school he was placed in the office of a writer to the *Signet*, but he did not pursue the profession of the law. He settled in Edinburgh, and attended the public classes of the University for two years, but did not graduate or study for any profession. Early in 1817 an accidental communication which he made to the *Scotsman* (then lately established) led to his connexion with that journal; he was the editor for about two years, and continued his contributions for many years after. In 1818 he commenced a series of contributions to the *Edinburgh Review*, by an article on Ricardo's "Principles of Political Economy," and also gave lectures on political economy. In 1828 Mr. M'Culloch quitted Edinburgh for London, on being appointed Professor of Political Economy in University College, London; but the chair being unen-



dowed, the number of students attending his lectures was insufficient for his remuneration, and he relinquished that position. In 1838 the Whig Government made him Comptroller of the London Stationery Office, and he continued the head of this department until his death. When he undertook its administration the habitual waste of paper in the public offices and in printing was scandalous. Mr. McCulloch accomplished a large annual saving, far exceeding the cost of the department he presided over. His judicious economy and integrity were undisputed, and are matters of record in parliamentary reports and returns.

Mr. McCulloch's more lasting and meritorious reputation, however, was gained by his literary labours. They were the result of forty years of study and experience. His contributions to periodical works had been various and extensive. But he now began to realize his acquirements. In 1837 Mr. Charles Knight published, in two octavo volumes, his "Statistical Account of the British Empire." This valuable work was subsequently republished by Messrs. Longman, in successive editions much enlarged. The latter publishers brought out his "Dictionary of Commercial Navigation," a standard work, annually reprinted and revised. These two works, and the "Geographical Dictionary" in two volumes, which first appeared in 1840, may be considered his staple productions; the two first mentioned were reprinted in the United States and translated in several European countries. His miscellaneous works were numerous, and all more or less valuable contributions to political and economical science. In 1828 he edited for Messrs. Longman, in four volumes, octavo, an edition of Smith's "Wealth of Nations," with a life of the author, an introductory discourse, notes, and supplemental dissertations. It came to a fifth impression in 1863. In 1853 he arranged a volume of "Treatises and Essays on Economical Policy," comprising sketches of Quesnay, Adam Smith, and Ricardo. This work was partly a republication of articles he had contributed to the *Encyclopædia Britannica*, but all were carefully revised and in part rewritten, some essays appearing for the first time. In the same year appeared his volume on the "Principles of Political Economy," corrected and revised; in 1855 his treatise on the "Principles and Practical Influence of Taxation and the Funding System." In 1858 he produced a valuable work on the "Succession to Property vacant by Death, including Inquiries into the Influence of Primogeniture, Entails, and Compulsory Partition, upon the Public Interests."

Two volumes of "Early English Tracts

on Commerce and Money" were printed by the Political Economy Club at the suggestion of Lord Overstone, the prefaces to which were written by Mr. McCulloch, and he contributed prefaces and notes to four volumes of scarce tracts on kindred subjects, reprinted at Lord Overstone's expense.

He had collected a library of great value, and peculiarly complete on his own special subjects. In 1855 he published a bibliographical volume on the literature of political economy, a catalogue of his best books, with historical, critical, and biographical notices; and only two years since he completed and privately printed a more extended and valuable *catalogue raisonné*. Of this volume, which is entitled "A Catalogue of Books, the property of a Political Economist, with Critical and Biographical Notices," a very few copies were presented to personal and literary friends.

The genius of Mr. McCulloch was not inventive. He sifted and recast the labours of others. Statistics, rather than the principles of political economy, were his forte; but his works were generally lucid and sound. He occasionally indulged in paradox; but in this error he only followed greater men. There are unsolved problems in political science, and men of genius in advance of their generation, groping in the dark, must sometimes lose their way.

Mr. McCulloch had a literary pension of 200*l.* conferred upon him by Sir Robert Peel. In 1843 he was elected a member of the Institute of France, by a majority of sixteen out of eighteen votes, one being given for Hugo and one for Ranke.

#### THE DUKE OF NEWCASTLE, K.G.

This nobleman, Henry Pelham Fiennes Pelham Clinton, fifth Duke of Newcastle, was one of the foremost and most respected statesmen of the school of Peel, but less eminent for brilliancy of talent than for persevering, honest, and sedulous devotion to official duty, in which from his first entrance into public life he was almost constantly engaged. He was the eldest of the six sons of Henry, fourth Duke, by his wife Georgiana Elizabeth, daughter of the late Edward Miller Mundy, Esq., M.P., of Shipley Hall, Derbyshire. He was born in Charles-street, Berkeley-square, on the 22nd of May, 1811, and was educated at Eton, and Christ Church, Oxford, where he took the usual B.A. degree in 1832. Whilst an undergraduate he was a contemporary and friend of the late Lord Herbert, and of Mr. Gladstone,

together with whom he was a constant speaker at the "Union" Debating Society, and in company with whom he first entered into public life, being returned to Parliament, under the title of Lord Lincoln, at the general election of December, 1832, as one of the members for the southern division of Nottinghamshire, in which the great ducal estates of Clumber gave to his family an extensive and all but predominating influence. He thus formed one of that small band of Tory members, disheartened and discomfited, whom Sir R. Peel undertook to reorganize, under the new name of Conservative, in order to stem the advancing Democratic flood. In the many debates which took place at that time Lord Lincoln bore little or no share, yet it was, probably, not without some grounds of favourable augury that Sir Robert, on returning home from Italy in 1834, and accepting the office of Premier, which was so unexpectedly offered him, made Lord Lincoln one of the Lords of the Treasury. He, however, could hardly have mastered the details of his office, when public opinion, to which Sir Robert appealed by a dissolution, having proved adverse, though by a slight majority, all the Ministers were relegated to the Opposition benches.

During the six years that followed the Conservative exclusion from power, Lord Lincoln was not an inactive member of the House of Commons. He spoke pretty frequently, especially when the affairs of his native county happened to come under discussion, and always with good sense. There was no effort at rhetorical show. He said what he had to say, quietly and in a business-like tone; and Sir Robert Peel, who was ever on the watch to attach young men of talent to his party and person, saw that he had made no mistake in him. On the side of Lord Lincoln the attachment to his chief was from the first strong; it soon came almost to amount to personal devotion. When Sir Robert returned to power in 1841, he made Lord Lincoln First Commissioner of Woods and Forests, a post which in January, 1846, he exchanged for that of Chief Secretary for Ireland. Like his chief, his political opinions had of late undergone a very great change, which offended the main body of his constituents as well as his father. The South Notts Protection Society had before his recent appointment (which necessitated a fresh election) requested him to resign, and the Duke addressed a letter to the inhabitants of that portion of the county, charging his son with being the victim of bad counsel, and characterizing Free Trade as a vicious and revolutionary system, embodying ruinous and fatal doctrines. Lord Lincoln

issued an address explanatory of his conduct, and day by day he attended meetings in different places. The nomination came, and a brief triumph attended his show of hands at Newark. The polling followed, and the result was a defeat by a majority of nearly seven hundred. Thus in February, 1846, was severed his political connexion with the county. He did not, however, long remain out of Parliament, for in May following, Mr. Baird, member for the Falkirk boroughs, in which the Duke of Hamilton (his brother-in-law) had great influence, accepted the Chiltern Hundreds, and Lord Lincoln became a candidate for the vacant seat. He was opposed by Mr. Wilson, a Liberal, but was elected by a majority of eleven.

The Peel Administration lasted but a month longer, and Lord Lincoln's position during it was a painful one. Side by side with the Corn Law Repeal Bill, Sir R. Peel thought it his duty to carry through an Irish Coercion Bill; and to Lord Lincoln, who had no special knowledge of Ireland, it fell to explain and defend the details of a complicated measure, before a heated and angry body of Irish members as well as a hostile House. With his usual passion for mastering the details of the various offices with which he was connected, he devoted himself to the affairs of Ireland, and made friends with several of the Irish members. At the general election of 1847, he again met with opposition, but was re-elected.

During the Administration of Lord John Russell, Lord Lincoln took little part in public affairs, and the death of his father in January, 1851, removed him to the Upper House. In 1853, when Lord Aberdeen was called upon to form a cabinet, he selected the Duke of Newcastle with the other members of the Peelite party as his colleagues in power. His Grace received the seals of the Colonial office, on which department also devolved the management of the military affairs of the nation. When the war between Russia and Turkey broke out, and England and France sent a force to support the Turks, it was found necessary to make the War Administration a separate department. The Duke then left the Colonial Office, and devoted the whole of his time and attention to military affairs. England had been at peace for more than thirty years, and as might naturally be supposed, on the nation getting into war, matters did not work smoothly. The old system broke down, and a new one had to be remodelled after the war commenced; the natural consequence was that many blunders were committed and many errors occurred. At that

period the Duke worked night and day almost, to bring the department into a sound administrative condition; and though he was assailed by political opponents both in and out of Parliament at the time in the most virulent terms, it has since been acknowledged that he did all that under the circumstances was possible to be done.

No speech of the Duke is probably so well remembered as that which he delivered at the opening of the Session of 1855, in which he made a clean breast of it in resigning his office of Minister of War. He was deeply moved himself, and he moved every body else. Nobody after that speech thought of imputing to him indolence, indifference, or levity, but still there was something said of incapacity. This charge he had noticed with the others, saying the only thing that a sensible man can say on that personal charge—that he was the last man who could discuss it, and that the question must be left to time. He made some brief and modest disclosures of his toil and anxiety, and of the special interest he had in the good conduct of the war, from two sons of his own being in the army and navy. These won him much sympathy; which was further increased when he declared in his honest way, that the greatest relief and pleasure he could have would be in the better fortune of his successor, whoever he might be, and his enjoyment of that national confidence and sympathy which he himself had failed to obtain. Now, under the emotion of the hour, his colleagues began to bear testimony to his official merits, but it was too late. The conduct of the war was to be inquired into; and the Duke's continuance in office could not be proposed to him. As soon as he was at liberty to go abroad, he went to the Crimea and the Black Sea, to examine personally into many things that could be only taken on credit at home. Meantime, Lord Panmure was not slow to do the requisite justice to his predecessor. He lost no opportunity of testifying to the admirable state in which he found the department, and producing the evidences of wisdom and skill, as well as of zeal and devotedness which he had found there. The defects had taken deep root before the Duke's time; and any man must have found them insuperable in the first year of a war after a peace of almost forty years.

When the second coalition Government was formed, in 1859, the Duke of Newcastle was appointed Secretary of State for the Colonies, which post he held till April, 1864. This time his Grace was appointed to the office for which his talents and acquirements admirably fitted him. The

present condition of our colonial possessions—regulating their own affairs, exercising all the privileges of self-government—renders the office of Colonial Secretary an easy one, as it respects the Parliament of this country, whatever may be the nature or amount of his correspondence with the colonies themselves. During the five years of his Grace's holding the seals, the only prominent incident was his excursion to Canada and the United States in company with the Prince of Wales. There his tour through the two countries was an almost continual ovation, and would have been so altogether but for those religious dissensions between Roman Catholics and Orangemen which, transplanted from Ireland, have become more fierce in the colony than on their native soil. The Orangemen showed no lack of loyalty, but they insisted on showing it in their own way; and the Duke, with a becoming sense of what was due to the dignity of the Crown, would not suffer the Heir Apparent to be mixed up in party and polemical demonstrations. With this one exception, neither the Prince nor the Secretary had any cause to regret their visit to this magnificent possession of the British Crown. He continued at his post afterwards, working quietly, unostentatiously, but with rare diligence and conscientious industry, till, towards the close of last year, symptoms of failing health appeared, which refused to yield to medical treatment, and compelled his retirement. During his last illness his Grace had the honour of receiving more than one personal visit from Her Majesty and from the Heir Apparent. His death took place rather suddenly, on the 18th of October.

The late Duke married in November, 1832, the Lady Susan Harriet Catherine Hamilton-Douglas, only daughter of the late Duke of Hamilton and Brandon, but the marriage was not a happy one, and it ended in a separation, and eventually a divorce. His Grace had five children by this union—a daughter and four sons.

The family of the Duke is of great antiquity. They descend from Renebald de Clinton, Lord of Clinton, Oxfordshire, *temp.* William I. The sixth in descent from him, John de Clinton, was summoned A.D. 1299 to the House of Lords as Baron Clinton; and ever since, say our Peerages, "the male line has been represented by peers in parliament, without intermission; consequently they are the oldest members of the House of Lords with that distinction, except the families of Berkeley and Neville." The Clintons held lands near Woodstock, Oxfordshire, as early as the middle of the thirteenth century; and we find John de Clinton, of Amington, War-



wickshire, summoned to Parliament in 1299 (27th Edward I.) as Baron Clinton of Maxstoke. His son, Sir William, successively became Chief Justice of Chester, Constable of Dover Castle, and Warden of the Cinque Ports; and, having been one of those who surprised Mortimer at Nottingham Castle, was created Earl of Huntingdon, a title which became extinct at his death without male issue. His nephew, the fourth Lord Clinton, was a sharer in the military glories of Edward III. and the Black Prince; and his descendant, Edward, ninth lord, who attained the highest rank as a naval commander during the reigns of Henry VIII. and his three immediate successors, was raised in 1572 to the Earldom of Lincoln, which is still extant in the family as the second title. The ancient Barony of Clinton, being a barony in fee and descendible to female heirs, passed away into another line in 1692.

#### WILLIAM SMITH O'BRIEN, ESQ.

William Smith O'Brien, Esq., formerly M.P. for the county of Limerick, the second son of Sir Edward O'Brien, fourth baronet of Drumoland, co. Clare, by the eldest daughter and co-heiress of Mr. William Smith, of Cahirmoyle, Limerick, was born October 17, 1803. His eldest brother (better known as Sir Lucius O'Brien, long the Conservative M.P. for Clare), succeeded his father as fifth baronet in 1837, and became thirteenth Baron Inchiquin in 1855, on the death of his kinsman, the Marquis of Thomond.

Mr. O'Brien, after an education at Harrow and Trinity College, Cambridge, entered Parliament in 1826 as the Tory M.P. for Ennis, and opposed Mr. O'Connell at the famous Clare election. He was member for the county of Limerick from 1835 to 1849, and during that period he completely changed his politics, becoming a warm friend of the National party, and professing such exclusive devotion to Irish interests as to involve him in quarrels with the House, which resulted on one occasion in his committal to the custody of the serjeant-at-arms. He thus became exceedingly popular with Messrs. Meagher, Mitchel, and others of the "Young Ireland" party, who in 1846 set on foot the Irish Confederation, and meditated the establishment of a Republic, of which he was to be the President. In 1848 the Confederation sent a deputation to Paris to solicit the aid of the Republican Government recently established there. The deputation consisted of Messrs. Smith O'Brien, Meagher, and O'Gorman, who presented a congratulatory address to the

President, Lamartine, but received a reply which, though couched in vague terms, showed that their cause would not be espoused by France. They still, however, continued their machinations, and when coercive measures were proposed in Parliament, Mr. Smith O'Brien rose in his place in the House of Commons, and spoke vehemently against the Crown and Government Securities Bill, describing the military strength of the Republican party in Ireland, and calculating its chances of success. The Bill, however, became law, and under its provisions, John Mitchel, one of the most prominent of the agitators, was tried, found guilty, and transported. Messrs. Smith O'Brien and Meagher were also tried, but, owing to a disagreement of the jury, they were acquitted. The plan of an insurrection was still persisted in, and in July, 1848, Lord Clarendon, then Lord Lieutenant, attempted to arrest Mr. Smith O'Brien, but was foiled by his sudden departure from Dublin. Though warned by some of the Roman Catholic clergy that success was not to be expected, Mr. Smith O'Brien resolved at once to appeal to arms, and hastily departing to the South of Ireland, he harangued the people in various towns, as at Carlow and Kilkenny; and the insurrection actually commenced at a place called Mullinahone, where, at the ringing of the chapel bell, large numbers of the peasantry assembled in arms, and hailed him as their general. On the 26th of July he went to a police barrack containing six men, to whom he promised better pay and promotion if they would join his ranks, and bade them refuse at their peril. They peremptorily refused, but he marched off without attacking them. On the 29th he appeared on Boulagh Common, near Ballingarry, on the borders of Tipperary and Kilkenny. There Sub-Inspector Trant, from Colan, with about fifty men, had fortified himself in the house of a widow named Cormac. The rebel forces surrounded the house, their chief standing in the cabbage-garden and parleying with the constabulary through the window. He quickly retired, however, and mounted a horse which he had taken from a policeman; Trant, apprehending an attack, ordered his men to fire, and a battle ensued. Two shots were aimed at Smith O'Brien, and a man that stood beside him was killed. Another party of police, under the command of Mr. Cox, and accompanied by Mr. French, a magistrate, came up at the moment and fired on the rebels, who fled in the greatest confusion. Eighteen were killed and a large number wounded, the constabulary suffering no damage whatever. Mr. O'Brien now abandoned the cause in despair, and

concealed himself for several days among the peasantry, not one of whom was tempted to betray him, even for the large reward of 500*l*. Sick of that sort of life he proceeded from his hiding-place in the Keeper Mountains, on the 5th of August, and went to the railway station at Thurles. While taking a ticket for Limerick he was recognized and arrested by a railway guard named Hulme. A strong escort of police was immediately procured, and he was conveyed by special train to Dublin, where he was lodged in Kilmainham Gaol. Thus ended the insurrection of 1848. Mr. O'Brien was tried by special commission at Clonmel, which opened on the 21st of September. He was cheerful, and was cordially greeted by his friends, among whom were his two brothers, Sir Lucius and the Rev. Mr. O'Brien. With him were tried Meagher and Mac Manus. His trial lasted nine days. All three were found guilty of high treason, and sentenced to be hanged, drawn, and quartered. The punishment was commuted to transportation for life. They were sent to Van Diemen's land, where tickets of leave were offered them. The other convicts accepted the terms, but Mr. O'Brien refused to pledge his word that he would not attempt to escape, and after some delay, and the discovery of a plot for his liberation, he was sent to Norfolk Island. At last his health gave way, and he was induced to give the required promise, and accepted the ticket. He was then brought back to Hobart Town, and remained in its neighbourhood for several years. In the meantime, Mitchel, Meagher, and others, who had been carrying on a correspondence with the National Party in Ireland, effected their escape, but Mr. O'Brien from a high sense of honour, declined to imitate them. In 1856 he received a free pardon from the Crown.

Mr. O'Brien then travelled for some time on the Continent, and in America, and more recently returned to Ireland, where, as far as words went, he showed that his opinions were in no manner changed by the sufferings that he had undergone. He delivered lectures on the condition of Ireland, in which he charged every thing that was amiss in the country to English misgovernment; but with all his hatred of "Saxon domination," he did not hesitate to avail himself of the aid of the law courts on a question of property. In 1848, when about to commit himself to arms, he had conveyed his property to trustees for the benefit of his family, in order to avoid its forfeiture, and accordingly, on his return from exile, he found his eldest son Edward William, now married to the granddaughter of Lord Montegale, the

head of the house. He chafed at this, and instituted a Chancery suit against the trustees, but this was eventually settled, and he formally resigned his position as a landed proprietor for a life annuity of 1000*l*. Since that time he had generally resided out of Ireland.

Mr. O'Brien died at Bangor on the 18th of June. His remains were conveyed to Ireland, and, contrary to the wishes of his family, his funeral was made the occasion of a tumultuous gathering of the National Party.

Personally Mr. Smith O'Brien was regarded by all parties as one of the most truthful, honourable, and kind-hearted of men. His talents were respectable, and his integrity unquestioned. Unhappily, however, he was possessed with the idea that he was destined to restore the lost honours of his royal race, and this led him to sacrifice the wide career of real usefulness that his actual position gave to him, alike to his own injury, and to that of his country. His family was so illustrious as to have been made the subject of a special history. Mr. O'Donoghue in his "Historical Memoir of the O'Briens," thus characterizes the race:—"Whether as Kings of the whole island, or later of the Southern half, or again after the arrival of the Anglo-Normans, ruling their restricted principality of Thomond with independent authority, as asserted by Sir John Davis, the descendants of Brian Boroihme have written their names in indelible characters in the history of their country. In no part of the kingdom can so many memorials of the energy and power of the native princes be found at this day as in the territory of Thomond before it was restricted to the present county of Clare. The erection of the Monasteries of Manister, Nenagh, Holy Cross, the Cathedral of Limerick, the Abbey of Ennis, and many others, devoted to the purpose of learning and piety, exhibit to the modern traveller proofs of the genius and vigour of the descendants of Brien."

Sir Bernard Burke traces the descent of the family, the head of which is now Baron of Inchiquin, to the celebrated Hibernian monarch just mentioned, who commenced his reign in 1002, and closed it with his life at the battle of Clontarf in 1014.

#### THE HON. MR. JUSTICE PERRIN.

Louis Perrin, a retired judge of the Court of Queen's Bench in Ireland, was a sound lawyer, and an able and upright judge. In his early days he had been distinguished amongst his associates as an uncompromising reformer. He then expressed opinions which he never for a

moment abandoned throughout a long and not an uneventful career. At Emmet's trial two of his friends were conspicuous. They were the late Bishop of Waterford and Louis Perrin. When sentence was passed both found their way to the dock, and warmly embraced their unfortunate young friend. On the prosecution of Kirwan and the Catholic delegates, for violating the Convention Act, Perrin was junior counsel, and his practice shortly after became enlarged. He was soon one of the recognized heads of the Protestant Liberal party at the Bar which advised and co-operated with the Catholics, who now began to prepare for the great events which preceded the emancipation. It was not, however, until the downfall of "ascendency" and the triumph of Liberal ideas after the Reform Act, that Mr. Perrin shared in the honours conferred on his competitors of the Tory side. While sergeant he presided over one of the most important inquiries, which was followed by the most fruitful results, that ever took place in Ireland—namely, the inquiry into the old Irish corporations. On the report, which was prepared by Perrin, the Irish Municipal Act was founded. Another of his achievements should be remembered by all friends of civil and religious freedom. Monaghan had been the stronghold of "ascendency;" he attacked it, and triumphed. As a member of the North East Circuit, and conspicuous for his Liberal principles, he had a strong party in the county, but it was believed nothing could shake the hold of the Tory aristocracy. Perrin succeeded, but at an enormous expense. Subsequently he contested Dublin when Attorney-General. At length his services were crowned by his elevation to the Bench, during Lord Melbourne's Administration.

#### THE BISHOP OF PETERBOROUGH.

George Davys, Bishop of Peterborough, graduated at Christ's College, 1803, tenth wrangler, and became a fellow. He subsequently became curate of Littlebury, and in 1814 of Chesterford; the latter curacy he held until Dr. Blomfield, the late Bishop of London, was presented to that living, when Mr. Davys became curate of Swaffham Prior; he afterwards removed to Kensington, and was appointed tutor to the Princess Victoria. He was advanced to the see of Peterborough in 1839. In theology the deceased prelate belonged to the Evangelical section of the Church. He took no active part, however, in theological controversy, and was liberal towards all religious creeds. Of late years his lordship seldom occupied his seat in

the House of Lords; and, in fact, his ambition through life was rather to be good than great. In the affectionate regard of his former pupil, our present gracious Queen, the Bishop of Peterborough held a high place, and tokens of Her Majesty's grateful affection were frequently bestowed upon him. Throughout his diocese the late bishop was much loved and respected. He died on the 18th of April, aged eighty-four.

#### MISS ADELAIDE ANNE PROCTER.

This young lady, the gifted daughter of a poet, and herself a poetess who was already achieving a high reputation, died on the 2nd February, in the very spring-tide of her literary merit and fame. She was the daughter of Bryan Walter Procter, Esq., barrister-at-law, and commissioner in lunacy, eminent as a conveyancer, whose legal reputation, however, is but secondary to the poetic reputation which, as "Barry Cornwall," he has obtained. He is well known to the public as the author of "Mirandola," "A Sicilian Story," and "The Flood of Thessaly," and of many songs and other charming pieces. His daughter, the subject of this notice, who had inherited his inspiration, grace, and talent, first became known to the public by her productions, "Legends and Lyrics," and "A Chaplet of Verses." These and her subsequent publications had placed her among the most popular female poets of the day.

#### DAVID ROBERTS, R.A.

This widely-known and highly-estimated artist was a native of Edinburgh, where he was born on the 24th of October, 1796. He commenced his career as apprentice to a decorative house-painter. A brother apprentice to the same master was one who afterwards became distinguished, Mr. D. R. Hay, well known as a writer on the science of harmonies in colours and forms and the practice of decorative art. On the expiration of his term, he obtained an engagement to paint scenes for a second-rate theatre at Edinburgh, and afterwards for the principal theatres of Glasgow and Edinburgh. From thence he obtained an introduction to Elliston, then manager of Drury Lane, and when only 26 years old, became scene-painter at Drury Lane, where he had Clarkson Stanfield for a comrade, and also at Covent Garden Theatre in the time of Macready.

Two years later, he and a company of brother artists instituted the Society of British Artists; and Roberts was Vice-



President for some time. He exhibited in it the first pictures that we hear of; one of Dryburgh, and two of Melrose Abbey. Thus he began with architectural painting, which was the great object of his life and art to the end.

In 1825 he had evidently been beginning his travels, for he showed to the world what he had seen at Dieppe and Rouen. In the following year he exhibited for the first time at the Royal Academy. He seems, however, to have been happier with the Society, for he exhibited regularly there, while appearing only once in eight years at the Academy. He was travelling and painting during the interval, and the most noticeable work of the period was the picture which he painted for Lord Northwick, and which is now in Sir Robert Peel's collection, "The Departure of the Israelites from Egypt." He had not yet been in Egypt, but neither had he been in India, and we find him painting the Ellora Cave. He worked from a sketch by Captain Grindlay.

For some years the variety of his subjects seems now as wonderful as his industry. We find in the list Scotch, Dutch, English, and Rhenish towns, from studies of his own. There is a Portuguese one; but that is from a sketch of Charles Landseer's. He was in Spain, however, in 1834, and thence he sent the "Geraldine at Seville," painted on the spot, and the work which fixed his rank as a great painter, "The Cathedral at Burgos." It may be seen in the national collection, as Mr. Vernon immediately purchased it, as Mr. Sheepshanks afterwards did the two others which appear in the National Gallery—"The Crypt at Roslyn Chapel," and "The Spanish Scene on the Dvoro, at Grenada."

For four years at this time he contributed largely to the annuals which were the fashion of the period; and to these, perhaps, he owed his first celebrity beyond his own island; for by the illustrated publications of the day the Continental people learnt to know the scenery of their own and one another's countries. The foreign engravings from his views in the "Landscape Annual," and in illustration of "The Pilgrims of the Rhine," and his lithographed "Spanish Sketches," were a complete novelty to half the Continent. His grand achievement, however, was the "Sketches in the Holy Land" and in neighbouring countries—one of the largest illustrative works in existence, and no less eminent for its fidelity and its character of vitality than for its splendour. It was while he was studying these scenes that he was made an Associate of the Royal Academy in 1839. In 1841 he became an Academician; and in the fol-

lowing year the great folio work began to appear—Louis Haghe being the engraver, and Dr. Croly the contributor of the letter-press. The whole required the labour of eight years on the part of the artist and the engraver.

That is above twenty years ago; and the production of his wealth of that sort has never ceased—scarcely paused—from that time to this. We look back with wonder on the production of works of such quality as "The Baalbec," "The Jerusalem from the Mount of Olives," "The Temple of the Sun at Baalbec," which our readers will remember at the International Exhibition of 1862; "The Destruction of Jerusalem;" the picture painted by Royal command of "The Opening of the Exhibition of 1851;" and the great panoramic Picture of Rome, presented by Mr. Roberts to his native city. Edinburgh had before given him the freedom of the city; and she was not left unrepresented amidst the old capitals which he illustrated in long succession. Rome, Venice, Vienna, and many more, and finally, London, were so painted by him as to secure to future generations a clear conception of what the great cities of Europe looked like (as regards their most prominent features) in our century.

Those pictures of London, as seen from the Thames, are the latest memorials we have of David Roberts. He was employed on two of them at the time of his death. It was nevertheless an old scheme. Turner once told him that he had thought of painting London from points of view on the Thames; but he decided that the scheme was too wide for him. When he relinquished it David Roberts seems to have taken it up, and he accumulated a large mass of materials for it. Our readers must have a vivid remembrance of the fine rendering of St. Paul's, as presented in the pictures in the Academy Exhibition. The series were painted for Mr. Charles Lucas, who has hung them together. One of the unfinished pictures is a view of St. Paul's from Ludgate-hill; the other, nearly finished, is the Palace of Westminster, seen from the river.

He leaves a rich legacy of professional treasures, besides these incomplete pictures. He parted with very few of his water-colour sketches and drawings made in the countries he travelled through. He retained almost every original sketch, and we may all conceive what a number there must be of them. There is also a complete series of an interesting order of memoranda. It was his habit to make a pen-and-ink etching of every picture he painted, with notes recording the size and other conditions of the work. This is not

only a precious legacy to his descendants, but a valuable record for the world of art.

David Roberts was, perhaps, the best architectural painter that our country has yet produced in this department of art; indeed, he stands almost alone among us, the artist who comes next to him being Samuel Prout, the water-colour painter, who died in 1852. Mr. Roberts had a wonderfully quick eye for all striking effects of architecture, and transferred them to his canvas with great ease. Nothing can be more effective than his views of cathedral interiors, lit up with the magnificent pageants of Roman Catholic religion. He gave a grand, broad effect, a truthful general result, and did not much trouble himself with minuteness of workmanship. In this respect one is apt now and then while looking at his pictures to remember the scene-painter; but in point of fact minuteness of work would be misplaced in an architectural painting, and there, if anywhere, the artist may be allowed to generalize. In this broad style of treatment David Roberts was particularly happy, and he could be very prolific. He painted quickly and he painted much. His pictures were snapped up at heavy prices. If he fell short of genius he was, nevertheless, a man of rare ability, of sturdy industry, and of admirable tact. Like many Scotchmen, he spoke slow with a broad accent, and gave one in conversation the idea of a slow-working intellect. In his art, however, there was nothing slow or drawing. Whatever he did he did quickly, sharply, and with marked vigour. Apart from the interest which attaches to him as an artist, and which is to be measured by the amount of his actual achievement, there is another interest which belongs to his career, and which is to be measured by the amount of difficulties he had to overcome. He who began as a humble house painter, and ended as a Royal Academician, had not a little to boast of.

Mr. Roberts was a man of genial temper, and of great kindness and liberality of character. At the height of his success he preserved his native simplicity and gentleness of heart. In the last autumn of his life, when he was absent from his regular work, and staying at Bonchurch, he occupied himself with cleaning and renovating his old sketches. His health was good; his fame was rising, as appeared by the constantly increasing prices given for his works; he was blessed in family affection, and rich in friends. He was passing into old age as happily as possible when he was struck down by a death, which spared him the suffering of illness, infirmity, and decline. On the 25th of

November he went out from his own house in apparent health, and cheerful as usual. Stricken with apoplexy he staggered and fell in the street, and died the same evening.

#### NASSAU WILLIAM SENIOR.

This gentleman, well known as one of the first political economists of his day, and as an able and lucid writer on political and literary subjects, was the eldest son of the Rev. J. R. Senior, Vicar of Durnford, Wilts, and was born at Compton, Berks, in 1790. Having gone through the usual course at Eton, he was entered at Magdalen College, Oxford, where he graduated in 1811, taking a distinguished first class in classics. On June 28, 1819, he was called to the Bar by the Hon. Society of Lincoln's Inn, and in 1836 he was appointed a Master in Chancery, during the Chancellorship of Lord Cottenham. In 1825 he was first elected to the Professorship of Political Economy at Oxford, founded by the late Mr. Drummond, M.P. He vacated it in 1830, and was succeeded by the late Dr. Whately, Archbishop of Dublin; but in 1847 he was re-elected to the same office, in succession to Dr. Travers Twiss, and again held it for the statutory term of five years.

Mr. Senior also held the office of Examiner in Political Economy in the University of London.

Mr. Senior's publications were very numerous. They comprised various excellent treatises on political economy, some of which had been delivered in the form of lectures at Oxford; a variety of pamphlets on social and political questions; numerous articles in the "Edinburgh Review" and other leading periodicals; some interesting journals of his visits to Turkey and Greece, where he devoted much attention to the political and social condition of those countries; and a variety of essays on literary subjects. His intellect was unusually clear and penetrating, enabling him to elucidate many intricate and complicated questions; and though his views were not peculiarly profound or original, yet the lucidity of his mind and the perspicuity of his style admirably fitted him for the office of an expositor of that class of subjects which chiefly occupied his mind. As a writer on political economy very few have surpassed him in lucidity or soundness. In another capacity Mr. Senior rendered valuable service to the public. He was one of the prominent members of that Commission to which the country owes the reformation of the Poor Laws, and more recently

he acted as one of the Commissioners upon National Education, under the presidency of the late Duke of Newcastle. Mr. Senior's death took place on the 4th of June.

### MISS CATHERINE SINCLAIR.

This lady, favourably known to the public as the contributor of many useful and entertaining works to popular literature, was a daughter of the late Right Hon. Sir John Sinclair, Bart., and was born at Edinburgh, in the year 1800. She first became known to the world by the publication of two volumes, which obtained an extensive circulation, "Modern Accomplishments," and "Modern Society." In the former work she exposed with felicitous humour the prevailing absurdities in female education, and in the latter she depicted with truth and freshness the characteristic sentiments and conversation of fashionable circles.

These works were followed in quick succession by "Hill and Valley," "Scotland and the Scotch," "Shetland and the Shetlanders," "Modern Flirtations," "Beatrice," and other works, amounting to thirty-seven volumes. Among these we must give a prominent place to "Holiday House," which has long been the delight of children, representing to them their own feelings, tastes, and habits, with a truthfulness which cannot but suggest the idea that she is here describing scenes which came under her own observation in real life.

The name of Catherine Sinclair is as well known on the other side of the Atlantic as in this country. Her works have all been republished in the United States, and sold by tens of thousands. With respect to one work, "Beatrice," the publishers state that its popularity was "greater than that of 'Uncle Tom's Cabin' in England, above one hundred thousand copies having been sold in a few weeks."

The main object of Miss Sinclair's writings was not fame or profit, but usefulness. She adopted as her motto the saying of Sir William Temple, "Of all the paper I have blotted I have written nothing without the intention of some good." Among her numerous publications there is not a single line which, on religious or moral grounds, she could have desired to obliterate.

She contributed to many charitable objects, but took special pleasure in works of public utility. Her chief sphere of usefulness was her native town. She established a Mission Station in a populous but neglected suburb of Edinburgh; and she was the first to introduce cooking depôts into the Scottish metropolis. The

first public fountain erected in that town was likewise her work, and she took an active part in the promotion of various undertakings for bettering the physical and social condition of the poor. She closed her benevolent and useful life at Kensington on the 6th of August.

### CAPTAIN SPEKE.

John Hanning Speke, a Captain in H.M. Indian army, and celebrated as a traveller for his discovery, in conjunction with his companion, Captain Grant, of the source of the Nile, had his valuable life prematurely brought to a close in consequence of an accident from his gun while shooting in the neighbourhood of Bath, on the 15th of September. Captain Speke was descended from a good old county family.

His father, Mr. William Speke, of Jordans, is a magistrate and deputy-lieutenant for Somersetshire, and formerly served in the 14th Dragoons. The future African traveller was born in May, 1827, and in 1844 entered the 46th Regiment of Bengal Native Infantry. He obtained his promotion to lieutenantancy in 1850, and to captain in due course. While in India, he saw some active service under Lord Gough, having served through the Punjaub campaign, where he took part as a subaltern in the four successive victories of Ramnuggur, Sadoolapore, Chilianwallah, and Goojerat, acting through that terrible time with Sir Colin Campbell's division.

His reward for his good service in these fields was an indulgent consideration of application for leave of absence when the war was over. These opportunities he employed in making hunting and exploring expeditions over the Himalayas, and in the untrodden parts of Thibet. A botanist, a geologist, and especially a lover of natural history, he toiled to collect specimens of every animal, every plant, and every mineral to be found in those wilds; "shoot-ing, collecting, and mapping the country" as he went, he taught himself that knowledge which is required to enable the traveller to appreciate and utilize all he sees. These were his preparations for his after travels in Africa.

The experience which he gained by his adventures in the Himalayas, and his subsequent arduous explorations in company with Captain Burton of African renown, prepared him for the last great journey which he undertook in 1860, and which has had such important results on our knowledge of the geography of Central Africa. In 1858 he had penetrated as far as the head of the great lake Nyanza, near the equator (a lake equal in size to Scotland) and lying under the snow-



capped "Mountains of the Moon;" which lake he re-christened Victoria Nyanza. The idea then occurred to him that by finding his way inland, far enough from the eastern coast of Africa, above Zanzibar, he might possibly strike upon the southern end of the lake, and discover whether the Nile really had its source there. Captain Speke made the experiment in company with Captain Grant, and started for the Cape early in 1860; and being assisted by the Governor, Sir George Grey, they commenced their journey from Zanzibar in the following October, at the head of a motley group of Arabs, Hottentots, Beeloochees, and negro porters—a very untractable and undisciplined lot, as may be supposed, and requiring very peculiar treatment. With this train, Captains Speke and Grant, after surmounting no ordinary difficulties, both physical and moral, more especially from the obstacles created by the princes of petty states, through whose territory they passed, and whose avarice and extortion they were forced to satisfy before they could speed further on their way, at the end of something more than a year came upon the object of their long journey, and again sailed upon the waters of the lake Nyanza. Having spent some time on its shores, they proceeded across country northwards, struck the Nile at Urondogoni, and retraced its course back to the great lake, a distance of about forty or fifty miles. After a variety of adventures, which Capt. Speke has recorded in his published account of his travels, the companions were allowed to descend the Nile, and in February, 1863, they reached Gondokoro, whence the news of the successful accomplishment of their explorations was speedily sent down to Alexandria, and thence transmitted to London by telegraph, rejoicing the hearts not only of geographers and *savans*, but of Englishmen in general, who felt that in Speke and Grant they had two more heroes of the type of Lander and Bruce, of whom they might be justly proud.

It would be too much to say that the results thus arrived at are quite complete, but no doubt all mystery has been moved by Speke and Grant from the question which had puzzled all geographers, from Herodotus down to our own day, as to the origin of the Nile. They have brought the facts of the case into daylight, and into such a position that they may be now solved with comparative ease. It is now an established fact, not only that what Bruce mistook for the Nile was not that river, but one of its larger tributaries, but that the Nile itself rises out of that great reservoir of waters gathered from

the mountains of the high equatorial tableland, and that the outlet at Ripon Falls is one of the main channels by which it is fed. But some questions still require to be solved. May there not be other lakes to the east of Victoria Nyanza, which supply the Nile with an equally large or even larger volume of waters? And again, how is the lake Victoria Nyanza fed? May it not, after all, be an intermediate reservoir, receiving waters which, if traced further back, would lead us to the actual springs and sources of that mighty river which has been a problem to the learned for twenty centuries? Captain Speke himself, in his book, suggests the possibility of such a question arising, and claims for himself no greater credit than is actually his due.

The sudden death of Captain Speke threw a sad damp over the proceedings of the British Association at Bath, where several disputed questions relating to African discovery were to have been publicly discussed in the Geographical section, between Captain Speke and Captain Burton, in the presence and under the presidency of Sir Roderick Murchison.

We do not wish to overstate the merit of the man who has done so much towards solving the geographical problem of the source of the Nile; but his was a brilliant exploit, and England is rightly proud of the bold adventurer.

#### LIEUT.-COLONEL TORRENS, F.R.S.

This gallant officer, who on the termination of his military career devoted the powers of his active mind to political and economical studies, and attained considerable note as a public writer, was born in Ireland, in 1780. He entered the corps of Royal Marines in 1797, and became captain in 1806. In 1811 he commanded a body of Marines, which successfully defended the Isle of Aukott, against a very superior Danish force, and for his services on this occasion, when he was severely wounded, he received the brevet rank of major. He afterwards served in the Peninsula, where he was appointed colonel of a Spanish Legion. He was promoted to the rank of lieutenant-colonel in 1819. In 1831 Colonel Torrens was elected M.P. for Bolton, having previously sat a short time for the Borough of Ipswich. He was an indefatigable writer, and the productions of his pen, which include a great variety of tracts on subjects of political economy, some able pamphlets on the currency, and some literary efforts of a lighter class, extend over a period of fifty years. For some time Colonel Torrens was a part pro-

prietor and editor of the "Globe" newspaper. He was a skilful and lucid writer, and succeeded in throwing considerable light upon some of those abstruse questions connected with monetary science which are the stumbling-block of economical students. He died on the 27th of May, at the age of eighty-four.

#### ALARIC ALEXANDER WATTS.

This gentleman, whose name was for a long time well-known in connexion with periodical literature, was born in London, March 19, 1797, and received his education at the collegiate school of Wye, Kent, where an elder brother held the post of under master. He afterwards became a private tutor, but eventually adopted literature as his profession. In 1822 he published his first work, a small volume entitled "Poetical Sketches," which was well received. He next became editor of the "Leeds Intelligencer," and afterwards of the "Manchester Courier," but in 1824 he came to London, and for the next fourteen years was mainly employed in producing "The Literary Souvenir" (eleven vols., 1824—1834), and its successor "The Cabinet of Modern Art" (three vols., 1836—1838). These speculations, and dealings in the pictures employed to illustrate them, were eventually unprofitable, and he next became the editor of the "United Service Gazette," founded by the late Mr. Spottiswoode, which he carried on for several years; he was also engaged on the "Standard," and on many other papers of Conservative views. In 1850 he published a selection of his poetical works, under the title of "Lyrics of the Heart, and other Poems," which also contained some pieces by his wife, who was a sister of J. H. Wiffen, the translator of Tasso. In 1853 a pension of 100*l.* a year was bestowed on him, "in consequence of services rendered by him to literature and the fine arts through thirty years;" he also received an appointment in the Income Tax department at Somerset-house, which made his latter years easy as to pecuniary matters. Mr. Watts was a ready writer, and being very outspoken in his dislikes, he had a full share of the literary and political controversies that preceded and accompanied the Roman Catholic Relief Bill, the Reform and Municipal Corporation Bills, &c.; and his connexion with the "United Service Gazette" involved him in Chancery proceedings of a very costly and embarrassing nature. Mr. Watts died on the 6th of April, aged sixty-seven.

#### THE KING OF WÜRTENBERG.

William Frederick Charles, King of Württemberg, who died on June 25, was at the time of his death the oldest reigning sovereign in Europe. He was the elder son of Frederick I., King of Württemberg, by his first consort (while Prince Royal) Augusta Caroline Frederica Louisa, daughter of Charles William Frederick, Duke of Brunswick-Wolfenbüttel. King William's mother had been a favourite of Catherine II. of Russia, who eventually banished her to Siberia, passing her off as dead; and, on her actual death, Frederick I., still Prince Royal, came to England, and married Charlotte Augusta Matilda, Princess Royal of England, eldest daughter of George III., which Princess died his widow and Queen Dowager of Württemberg, on Oct. 6, 1828. King William was born at Lubin, in Silesia, on Sept. 27, 1781, and led a wandering life in his youth, owing partly to the political agitation of the period, and partly to the harsh and uncongenial temper of the King, then the Elector, his father. He passed much time in Silesia, in Russia, in Switzerland, and in the Rhenish provinces. On the invasion of Württemberg by French armies, in 1796 and 1799, he was an involuntary exile; and from 1803 to 1806 he remained away, in consequence of his disapproval of his father's despotic conduct, and took up his residence in Paris, where he completed his education. When his father, at the will of Napoleon, became King of Württemberg, the Prince continued to live a very retired life, being strongly adverse to this pliancy to the Imperial ruler of France, who, nevertheless, influenced the Prince's first marriage, in 1808, with the Princess Augusta of Bavaria; but the union was dissolved by mutual consent in 1814. The Prince had entered the army early, and in 1812 he commanded the Württemberg contingent of *la grande armée*. Subsequently, he had the command of the seventh corps of the allied army, and distinguished himself at Rothière and Montmirail. He, while King, was propriétaire of the 6th Regiment of Austrian Hussars, and chief of the 25th Regiment of Russian Infantry. The Prince succeeded his father, as King of Württemberg, Oct. 30, 1816, and, after the despotic regime of Frederick I., was cordially welcomed to the throne. Nor did he disappoint the hopes and expectations of his subjects. He proved himself a worthy and efficient monarch. Upon his accession he set himself vigorously to reduce the expenditure, especially curtailing the expenses of the army. In other matters he also made valuable re-

forms, and throughout his reign was ever ready to carry out such reasonable and necessary changes as were required of him, when the innovation was not forced on him by revolt, nor savoured of revolution. His Majesty, in the course of time, became one of the most venerated monarchs in Europe, being looked on as a liberal, honest prince, who loyally kept his word to his subjects, and a kind, unassuming man, whose happiness was the well-being of his people. On one of the public buildings of Stutgard may be seen an inscription in his honour, "Happy the land where love is the subject, and love is the lord." In this honourable and prosperous way, King William reigned over Würtemberg for nearly fifty years. His Majesty, who was a Knight of the Garter, married, secondly, Jan. 24, 1816, Catherine-Paulowna, daughter of Paul, Emperor of Russia, widow of Prince Peter, of Holstein-Oldenburg, and by her (who died Jan. 9, 1819), he had two daughters—Princess Maria Frederica Charlotte, married to Alfred, Count de Neipperg; and Sophia Frederica Matilda, consort of the present King of Holland. King William married, thirdly, April 15, 1820, his cousin, Pauline Theresa Louisa, daughter of Louis Frederic Alexander, Duke of Würtemberg, and by her has had a son, his successor, and two daughters—viz. Princess Catherine Frederica Charlotte, married to Frederic, Prince of Würtemberg, her cousin; and Princess Augusta Wilhelmina Henrietta, married to Hermann Bernard George, Prince of Saxe-Weimar, Colonel Commandant of the 2nd Regiment of Würtemberg Cavalry. The King of Würtemberg is succeeded by his only son, Charles Frederic Alexander, now Charles I., King of Würtemberg, who was born March 6, 1823.

The life of the late monarch may be said to comprise the whole range of strictly

modern history—of that history which the great French Revolution inaugurated. The deceased sovereign could remember Europe when it was still the Europe of the Middle Ages, when Germany was an Empire and Venice a Republic. At his birth the state over which he lived to reign was an inconsiderable Duchy, containing a population not much larger than that of Liverpool. He left it a Kingdom, with nearly 2,000,000 inhabitants, and with territories doubled in extent and importance. Yet Würtemberg never had a Frederick the Great. Its conquests were not made by the sword, nor can they be ascribed, perhaps, so much even to political sagacity as to the extraordinary chances and opportunities of a most eventful time. The old Germanic Empire was approaching its dissolution. Its death-blow was dealt when the left bank of the Rhine was ceded to France. This cession dispossessed of their estates and dominions a large number of Princes, and it was stipulated that the losers should be indemnified out of the territories on the right bank of the stream. The result was an extensive redistribution of property and power. The old Empire of Germany contained, besides its ordinary Principalities, a number of Ecclesiastical Sovereignities and Free Towns. It was from these that the requisite compensation was provided. Suppression, confiscation, and mediatization supplied the necessary assets for liquidating the political debt, and the face of Western Germany became entirely changed. So complete, indeed, was the transformation, that the old political organization could no longer be maintained, and the Empire itself was dissolved. Its place in the European system was partially filled by a new political union, called the Confederation of the Rhine, a prominent position in which was occupied by Würtemberg.



# REMARKABLE TRIALS.

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## I.

### THE CASE OF THE "ALEXANDRA."

THE ATTORNEY-GENERAL *v.* SILLEM AND OTHERS.

THIS case, which arose out of an alleged breach of the Foreign Enlistment Act, and was one of many instances in which the desire of commercial profit set at nought the policy of neutrality which the British Government had pledged itself to maintain between the Federal and Confederate States, then at war in America, was remarkable, not only for the issues which it involved, but for the great discrepancies of opinion which prevailed among the highest legal authorities, and which eventually made the long-protracted litigation abortive. It will be necessary briefly to recapitulate the history of the "Alexandra." She was built and partly rigged at Liverpool, and was seized on the 6th of April, 1863, by an officer of the Customs, on the ground of a breach of the 7th section of the Foreign Enlistment Act, 59th Geo. III. c. 69, which is intituled "An Act to prevent the enlistment or engagement of His Majesty's subjects to serve in foreign service, and the fitting out or equipping in His Majesty's dominions of vessels for warlike purposes;" and it declared, "That if any person within the United Kingdom should equip, furnish, fit out, or arm, or attempt or endeavour to equip, &c., or procure to be equipped, &c., or should knowingly aid, assist, or be concerned in the equipping, &c., with intent that such ship should be employed in the service of any foreign state, &c., as a transport or store-ship, or with intent to cruise or commit hostilities against any state, &c., with whom His Majesty should not then be at war, every person so offending should be guilty of a misdemeanour." The defendants claimed to be the owners of the "Alexandra." An information was then filed by the Attorney-General against the defendants. This information contained ninety-six counts, but in substance charging the defendants with "furnishing," with "equipping," and with "fitting out," but not with arming the vessel. It also charged the defendants with "endeavouring, attempting, and being concerned," with the equipping, &c. To all these charges the defendants pleaded not guilty. The case came on to be tried before Lord Chief Baron Pollock and a special jury, in the Court of Exchequer at Westminster, on Monday the 22nd of June, 1863, and following days; and as much controversy arose upon the summing up of the Lord Chief Baron, it will be useful to revert to it. His lordship, in summing up, said the vessel when seized was in the course

of building. It had not been completed. It was admitted that it was not armed, and the question was whether the condition of the vessel fell within the Foreign Enlistment Act, as to which, upon all questions of fact, the jury would exercise their own right of deciding. The counts were swelled out to a very large number, but they all came to this question:—Was this vessel, as then prepared at the time of the seizure, an object of seizure under the Act in question? The inquiry was, and must be, was a misdemeanour committed under the terms of the Act of Parliament? If there was, and if the ship had been seized in consequence of that misdemeanour, the information was right, and the verdict must be for the Crown. If there was not (and he should presently state to them what appeared to him to be the question of fact they had to try), then the information founded upon the seizure ought to have a different termination, and their verdict ought to be for the defendants. The conviction must be upon proof, and not upon suspicion. This question upon the statute had never before arisen in the Courts, and was here for the first time, but there had been expositions of the statute by decisions in the American Courts. Mr. Chancellor Kent and Mr. Justice Storey were Americans, and they had contributed certainly more to render law a science, and to render the pursuit of it, he was almost going to say, captivating, than any writers on this side of the Atlantic for thirty or forty years past. Chancellor Kent said, in his "*Commentaries*," that on a certain occasion it was contended on the part of the French nation that neutral Governments were bound to restrain their subjects from selling or exporting articles contraband of war to the belligerent Powers, but it was satisfactorily shown on the part of the United States that neutrals might lawfully sell at home to a belligerent purchaser, or carry themselves to the belligerent Powers contraband articles, subject to the right of seizure *in transitu*. In the case of the "*Independencia*," Mr. Justice Storey said, "But there is nothing in our law, or in the law of nations, that forbids our citizens from sending armed vessels as well as munitions of war to foreign parts for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes the persons engaged in it to the penalty of confiscation." Those authorities showed that when two belligerents were carrying on war, the subject of a neutral Power might supply to either without any breach of national law, and certainly without any breach of the Foreign Enlistment Act, all the munitions of war for the destruction of human beings who were contending together in that way. Why should ships be an exception? In his (the Chief Baron's) opinion, in point of law, they were not. Presently he should put to them the question of fact about the "*Alexandra*," which they would decide. His lordship then stated the title of the Foreign Enlistment Act. The title to an Act of Parliament was not part of the statute, and he believed it was generally held by all lawyers that, properly speaking, it threw no light upon it. They could not refer to the title. But the preamble, which was part of the Act, was this:—"Whereas, the fitting out and equipping of vessels for warlike operations against any foreign Power, &c., is and may be prejudicial to the peace and welfare of the community;"—and then came the seventh section. Now the question he should propose to them was this—whether they thought that this vessel was merely in the course of building, for the purpose of being delivered, in pursuance of a contract, which he owned he thought was perfectly lawful, or whether there was any intention that in the port of Liverpool, or any other English port (and there was certainly no evidence of any other), the vessel should be equipped, &c., for the purpose of aggression. That was the question. It was not said that you might not build vessels for the belligerent Power. There was nothing suggested of the kind, and clearly by the

common law and the passages he had read, surely if from Birmingham either state might get any quantity of destructive instruments of war, and if from the various parts of the kingdom where gunpowder was made they could obtain any quantity of that destructive material, why should they not get ships? Why should ships alone be themselves contraband? If a man might build a vessel for the purpose of offering it to either of the belligerent Powers who was minded to have it, might he not execute an order for it? It seemed to him to follow as a matter of course if he might make a vessel, then to say to the United States, "I have got a capital vessel, it can easily be turned into a ship of war; will you buy it?" If that was perfectly lawful, surely it was lawful for the United States to say, "Make us a vessel of such and such description, and when you have made it send it to us." It was said, if you allow that you repeal the statute. He thought nothing of the kind. What the statute meant to provide for was, he owned he thought, by no means the protection of the belligerent Powers. The vessel was nothing more than in the course of building. He did not know what conclusion they would come to as to what service she was intended for; if that was a matter of importance it would be for them to say whether it amounted to more than a strong suspicion, or whether it would justify a verdict in that direction. But he did not propose to put that to them; the question would be, was the vessel built, or was it merely in course of building? The offence charged was "equipping," &c. "Equip" was stated in Webster to mean "to furnish with arms." In his opinion "equip," "furnish," "fit out," or "arm" all meant precisely the same thing. It was not necessary, perhaps, that the vessel should be armed at all points. The question was whether they thought this vessel was fitted. Was there an intention that she should be equipped, and at Liverpool? Captain Inglefield said she might have been built for a yacht, or might have been converted into a war vessel. But was there any intention to "equip," &c., at Liverpool? If they thought that was the object, then that was a sufficient matter. But if they thought the object really was to build a ship in obedience to an order, and in compliance with a contract, leaving those who bought it to make what use they thought fit of it, then it appeared to him that the Foreign Enlistment Act had not been in any degree broken.

The jury returned a verdict for the defendants. A Bill of Exceptions was tendered to the ruling of the Lord Chief Baron, but in consequence of some misunderstanding relative to its terms it was not signed. On the 5th of November the Attorney-General moved for a rule for a new trial, on the ground of misdirection by the learned judge, and also upon the ground that the verdict was against the evidence; and a rule *nisi* was granted. On the 17th of November the rule came on to be argued, and those arguments occupied six days. The Court took time to consider its judgment. On the 11th of January, 1864, judgment was delivered, the Lord Chief Baron and Mr. Baron Bramwell being of opinion that the rule for a new trial should be discharged, but Barons Channell and Pigott thought the rule should be made absolute. When the Court is thus equally divided, it is the practice of the junior member to retire, or withdraw his judgment, and accordingly Mr. Baron Pigott withdrew, and the judgment of the Court therefore was that the rule should be discharged. From this decision there was an appeal to the Court of Error, the Exchequer Chamber, and on the 6th of February that appeal came on for argument. Instead, however, of the case being argued upon its merits, Sir H. Cairns, who appeared for the defendants, set up an objection to the jurisdiction of the Court, which was of a purely technical nature. After recapitulating the pro-



ceedings in the Courts below, the learned counsel proceeded to state his objection, which was that the Court of Exchequer had no power by law to make the rules under which the appeal had been brought. The learned counsel, in the course of an elaborate argument, observed that before the Common Law Procedure Acts were passed there could have been no pretence for such an appeal, and those Acts only applied to personal actions commencing by writ of summons, and not to revenue causes. It might be that the Court of Exchequer had power by a general order to create a new Court of Appeal, to give new rights to suitors with regard to appeal which they never had before, to order what should or should not be done by the Court of Appeal or the House of Lords, and to confer upon the House of Lords and upon the Court of Queen's Bench the powers which were proposed to be conferred by those rules; but he should like to see the authority, for he supposed no person would say that without Parliamentary authority that was a power which could have been legally exercised. He contended that the only power given by the 26th section of the Queen's Remembrancer's Act to the Court of Exchequer was to regulate the internal arrangements within the four corners of their own Court, but that it gave them no power to create new Courts; they could not go outside their own Court and give to suitors rights external to their Court, or give them power of appeal from their decision to the Privy Council, the House of Lords, or the Exchequer Chamber. After discharging their duties in hearing and disposing of a case, it escaped from them, and there was an end to their control over it. By making the rules of the 4th of November, 1863, the Court had attempted to legislate, and the provisions laid down under the guise of rules could only be justified by an Act of Parliament. Contrary to all practice in a case where the defendants had the verdict and the order of the Court discharging the rule obtained by the Crown, the Court had interfered and had given the losing party another chance by permitting him to appeal to the Court of Exchequer Chamber.

The Attorney-General, on behalf of the Crown, urged that the Court of Exchequer had only done what they were authorized to do by the Queen's Remembrancer's Act—namely, "to extend, apply, or adapt" any of the provisions of the Common Law Procedure Acts, and "any of the rules of pleading or practice" on the plea side of the Court to its Revenue side. This the Court were authorized to do by Act of Parliament; this they had done by their rules of the 4th of November, 1863, and further than this they had not attempted to proceed. The Court having listened to two lengthy and able arguments from each of the counsel, took time to consider, and on the 8th of February delivered judgment *seriatim*, the Lord Chief Justice of the Queen's Bench, Mr. Justice Crompton, Mr. Justice Blackburn, and Mr. Justice Mellor being of opinion that the Court had no jurisdiction to hear the appeal, and the Lord Chief Justice of the Common Pleas, Mr. Justice Williams, and Mr. Justice Willes considering that they ought to hear it.

The case was then carried before the ultimate Court of Appeal, the House of Lords, the technical question of the jurisdiction of the Court of Exchequer Chamber being the point now at issue. It was again argued with great ingenuity and subtlety on both sides.

The counsel for the Crown alleged in substance, that by the 26th section of the Queen's Remembrancer's Act the Barons of the Exchequer, or a majority of them, were empowered to extend, apply, and adapt various provisions of the Act of 1854, including those which grant a right of appeal on motions for new trials in suits between subject and subject, so as to confer that right on the parties to the proceeding then pending on the seizure of the "Alexandra." The general object of

the later Act being to assimilate procedure on both sides of the Exchequer, and the special intent of the 26th section being to enable the Court to carry out that object, the Attorney-General took his stand on the presumption that its provisions, properly understood, must be such as to facilitate their doing so. These provisions are two in number. The first authorizes the Barons, in very ample terms, "to make all such rules and orders as to the process, practice, and mode of pleading on the revenue side of the Court," &c., as they should judge expedient for the object already specified; the second authorizes them, in the same terms, "to extend, apply, or adapt" any portions of either Common Law Procedure Act to "the revenue side of the said Court," with a view of making the "process, practice, and mode of pleading" uniform on the two sides. Both clauses of the section warrant their using these powers "from time to time." The Attorney-General, therefore, argued before the House of Lords, as he had argued before the Exchequer Chamber, that the Barons had strictly complied with the second provision in giving the same kind of appeal in revenue causes as in civil actions. To do so was certainly not beyond the scope of the Act, for the Act itself created a new appeal, by way of "Bill of Exceptions." For this very reason, it could not be treated as the creation of a new right of appeal, but only as the designation of a second mode in which an appeal might be prosecuted. This was surely a part of "practice," and a part of the "practice" of the Court, for it was admitted that the cause belonged in theory to the Court before which it first came, and ultimately returned thither in fact. The act of the Barons was not an interference with the practice of any other Court, since it was no more than a permission to invoke the aid of the latter, subject to any rules of practice, &c., which might there exist. Yet, unless it were open to some objection of that kind, how could it be condemned as a transgression of the authority given in the 26th section? That section was clearly meant to incorporate prospectively such extracts from the Common Law Procedure Act as the Barons should select, other than those incorporated by previous sections, and what selection could they have made more entirely in harmony with the spirit of the Queen's Remembrancer's Act?

To this reasoning Sir Hugh Cairns and Mr. Mellish replied by construing the words of the disputed clause with great strictness, denying in particular that "practice" would cover appeals, or that any implications, as, for instance, from the title and preamble of the Common Law Procedure Acts, were admissible at all. They dwelt much on the magnitude of the power thus claimed on behalf of the Barons, and on the improbability of its being entrusted to a bare majority to be exercised "from time to time," and therefore, as they suggested, liable to be revoked. They made the most of the distinction between motions for a new trial and Bills of Exceptions to show that a new right would thereby be called into existence, though they were compelled to make the least of the same distinction in rebutting the probability of the Legislature sanctioning the one directly, and leaving the other to be legalized at the discretion of the Barons. They urged that the competence of the latter must be limited to proceedings within their own Court, and that they could not lawfully adapt any provisions of the Common Law Procedure Act so as to affect the course of revenue proceedings beyond their immediate jurisdiction, for that these would then cease to belong to "the revenue side" of the Exchequer. Lastly, they challenged the right of the Barons to make any rules whatever that might affect the fortunes of a suit already pending.

The decision of the House of Lords on these intricate questions was given on the 6th of April, and this remarkable case once more exhibited that diversity of judicial opinion at the final appeal which had marked it through all the previous

stages of the proceedings. The Law Lords, like the Judges of the Court of Exchequer, and those of the Exchequer Chamber, were unable to concur in their construction of the Act on which the jurisdiction turned. The Lord Chancellor, who first declared his opinion, said that the power of the judges to regulate the practice of their Court could not include a power of creating a new right of appeal which did not formerly exist. It was extremely improbable that the Legislature intended to confer such power under the Queen's Remembrancer's Act, under the 26th section of which the Barons thought they had said power. A right of appeal was not a matter of mere practice, and it was a misnomer to call rules regulating a right of appeal rules merely regulating matters of practice. It had also been said that if they had the power alleged they could not exercise it so as to affect pending matters. It was unnecessary to decide that question, but in his opinion that argument was not well founded, although it was to be regretted that any special rule should be passed for the purpose of a particular suit, especially a suit involving most important issues. The result had been that instead of an authoritative judgment being obtained on matters of the highest public interest, the case would produce nothing but the most ridiculous spectacle of discordant opinions on a mere barren point of form. His lordship concluded by moving that the appeal be dismissed with costs. Lord Cranworth differed from his lordship, and thought that the Barons had power to make the rules under the 26th section of the Act. Lord Wensleydale concurred with Lord Cranworth. Lord St. Leonards, Lord Chelmsford, and Lord Kingsdown concurred with the Lord Chancellor, and the appeal therefore was dismissed with costs.

Such was the termination of this important case, a result not very creditable to the framers of our statute law, and extremely mortifying to the Government, whose endeavours to give effect to an important Act of Parliament, and to keep faith with a foreign Power, were frustrated by an obscurity and confusion in the wording of our statutes which produced an irreconcilable conflict of opinion among the interpreters of the law.

## II.

### THE CASE OF THE "FLOWERY LAND."

JOHN LYONS (or Leon), Francisco Blanco, Ambrosio or Mauricio Duranno, Basilio de los Santos, George Carlos, Marcus Vartos (otherwise Watto), Marsolino, and Miguel Lopez (otherwise Joseph Chancis), were arraigned on an indictment charging them with the crime of wilful murder on the high seas, within the jurisdiction of the Admiralty of England, on the 10th of September, 1863.

The prisoners were Spaniards, except two—namely, Carlos, who was a Greek, and Watto, a Turkish subject.

The prisoners severally pleaded "Not Guilty," and elected to be tried by an English in preference to a mixed jury.

The Solicitor-General stated the circumstances under which the Government had thought it proper to direct this prosecution. The prisoners, he said, were all seamen on board an English ship called the "Flowery Land," and they were now indicted for the murder of the captain. The "Flowery Land" left the port of



London on the 28th of July, 1863, bound for Singapore, with a cargo consisting in a great measure of wine and other commodities. Twenty persons sailed in her, nineteen of whom were the officers and crew. The captain was John Smith, and his brother, George Smith, sailed as a passenger. The first mate was a man named Karswell, and the second mate was William Taffir. The carpenter, a Norwegian, was Michael Anderson; the cook and steward were Chinamen, as was also a boy called Cassap, a lamp-trimmer; and there were, in addition, fourteen seamen of different nations. Some of them understood English, and one or two spoke it pretty well. From time to time the crew showed symptoms of insubordination, which rendered necessary a certain amount of punishment and correction now and then. The mate once or twice used a rope's-end on some of them, and on one occasion a greater punishment was inflicted on the prisoner Carlos for refusing to attend to his duty. He was ordered to come on deck, and was then strapped to the bulwark for a short time—a mode of punishment not unfrequent at sea. The captain, however, who was a humane and a kind man, interposed and caused him to be released. Besides, seeing that he was unwell, he provided him with medicines, and ordered him back to his berth. There was nothing at that time to excite suspicion of any organized mutiny, much less that a crime was about to be perpetrated such as that with which the prisoners were now charged. But if the evidence should bear out his statement he thought the jury would come to the conclusion that all the prisoners entered into a conspiracy, which they organized with the utmost secrecy, and executed suddenly, and, unhappily, with too great success. They murdered the captain, his brother, the first mate, and others, and then took possession of the vessel, plundered the cargo, and, after scuttling the ship, made their escape to a part of the world where they thought their crimes would be least likely to be detected. The plot appeared to have been executed on the morning of the 10th of September, and the time selected for its execution was about three o'clock, during the first mate's watch on deck, when the captain was below in his berth, and when, therefore, he and the first mate could not communicate with each other. The captain's brother and the second mate, Taffir, were also below at that time. They slept in the cabin, and some of the crew in a house on the deck. An attack was made almost simultaneously on the captain and the first mate. The mate, who appeared to have been taken unawares, was struck down on the deck by men with handspikes, and unable to make any resistance. He cried for mercy, but his assailants still belaboured him with their weapons about the head and face until every feature was obliterated, and he was then, still shrieking for pity, thrown into the sea. The captain, alarmed by the noise, possibly, appeared to have left his sleeping berth in the cabin, and to have got as far as the companion, where he was despatched with daggers, and where his body was afterwards found, pierced in a number of places. The captain's brother appeared to have been trying to escape by the companion ladder, but was attacked and beaten about the head with handspikes until he died. Nothing more was seen of him, and his body must have been thrown into the sea. They proceeded next to put a rope round the dead body of the captain for the purpose of throwing it overboard, upon which the second mate, Taffir, interposed, and asked to be allowed to sew up the body in canvas. Permission was granted, and after the last offices had been thus performed, the body of the unhappy man was thrown into the sea. Those were the circumstances of this fearful tragedy, which occurred on deck and in the companion. He (the Solicitor-General) believed the law applicable to the matter was this. If the jury should be of opinion that all the prisoners entertained a common design to take possession

of the vessel by violence, that they all took part more or less in the execution of that design, and that in the course of its execution the captain was murdered, it was immaterial by whose hand or hands the captain fell, and though only one or more dealt the blows from which he died. Blanco and Duranno appeared to have taken the principal part in the murder of the first mate, and Duranno afterwards boasted that his was the hand which felled him to the ground. With respect to the murder of the captain, he believed the evidence would point chiefly to the prisoner Lyons, who appeared to have been in a great measure the ringleader and the spokesman of the party, understanding and speaking English as he did. In the murder of the captain, Watto, Lopez, and Santos would also seem to have been concerned—Lopez taking a conspicuous part, and Santos subsequently boasting that it was his dagger, or one of them, which stabbed him. He believed it would be shown that Marsolino had a handspike in his hand, with which during the affray he struck Anderson, the carpenter, on the back of the neck. It would also be proved that Carlos took part in the transaction, and afterwards gave orders for the navigation of the vessel to Buenos Ayres. As a matter of necessity the second mate was spared, as being the only man among them who understood navigation, after the captain and first mate had been killed. They directed him to take the ship to the shores of the River Plate, and he obeyed their orders. The learned counsel then related how the crew proceeded to share the spoil on board, making the second mate, Taffir, at the instance of Lyons, take a conspicuous part in the division against his will, and in fear of his life, and how when Lyons suggested that the money should be equally divided among them all, Watto interfered, and contended that only eight of them ought to share in it, the object of Lyons being to make the innocent appear as accomplices. Adverting to the scuttling of the ship, he said he was pained to have to say that after the prisoners pushed off in the boats, and with as much of the cargo as they could stow in them, the cook and the poor Chinese boy, the lamp-trimmer, were left to go down with her. The cook was seen clinging to the top, imploring for mercy, until the waves closed over him, and the steward appeared to have been stoned to death while struggling in the sea for life. In conclusion, the learned counsel said he thought every body would agree in the opinion that it was eminently proper on the part of the Government to take up such a case and submit it to the consideration of a jury, important as it was to the large class of persons who navigated the seas, and in the last degree to the prisoners.

Mr. Edward Shepherd, registrar of British ships for the port of London, produced a copy of the register of the ship "Flowery Land," owned by William Wemyss Kerr, a merchant in the City of London.

William Taffir was called and examined by Mr. Giffard. He said,—I was second mate in the ship "Flowery Land." She left London on the 28th of July last for Singapore. John Smith was the captain, and his brother, George Smith, was a passenger. The chief mate was John Karswell. The steward was a Chinaman, named Abo. The cook was also a Chinese, as was likewise Cassap, a lamp-trimmer. The carpenter was Michael Anderson, and Candereau, a Frenchman, was an able-bodied seaman. All the prisoners were seamen, able or ordinary. Some time after we sailed, the captain complained of some of the prisoners being unequal to their duties. I have heard him call them "coolies" and "sons of —." On one occasion they found fault with the food and water, and the grounds of complaint were immediately removed. On another the prisoner Blanco complained of the scale of victualling. About the beginning of September Carlos was wanted on deck, but he refused to go, and the mate pulled him out of his berth.

He said he was sick and wanted his watch below. All the watch stopped below with him. The watch were Marsolino, Watto, Blanco, and Carlos, with two others, whose names I do not remember. On Carlos being brought on deck I was ordered by the mate to make him fast to the bulwark, he refusing to "turn to." I did so, and he remained bound for about five minutes. The captain came, and on being told what was the matter, he ordered me to loose Carlos, which I did, and the prisoner turned into his berth. A few days afterwards a quarrel took place between Carlos and Blanco, and the mate and I interfered to separate them, the mate in a struggle giving Carlos a blow. I remember the night the captain was killed. I had the first watch from 8 to 12. The chief mate, Karswell, relieved me, and his watch lasted from 12 till 4 in the morning. There was a house on deck, divided into four compartments. On the port side forward there were two men lodged together in one compartment. On the starboard side forward lodged the carpenter, the witness Early, and Candereau. On the starboard side aft was the cook's galley, and the other was the boatswain's store. Below, on the port side of the companion, the first berth was that of the mate; next to that the captain's brother's, and next mine; and the captain had all the starboard side to himself. The main cabin was between, with a skylight opening on the poop. I turned in at 12 o'clock, and about 3 in the morning I was awakened by a noise on deck, as if some one was beating and hammering on the companion. I jumped up, and tried to go on deck, but was prevented by a man lying on the companion ladder. Several people were beating him on the head with handspikes or capstan bars. I recognized Blanco among them. I received a blow which hurled me down into the cabin. I took hold of the man they were beating, but was not able to move him. I called out to the captain for assistance, but received no answer. I went to his berth, but found he was gone. I came into the main cabin, and having trimmed the lamp, which was burning dimly, I found the captain lying in a pool of blood, and with his night dress full of cuts on the left side. I then went into his brother's berth, and found him gone also. I next returned to the companion ladder, and on examining the man lying there I recognized the captain's brother. I went into my own berth, and locking the door, remained there about three quarters of an hour. The noise ceased about five minutes after I entered. Some of the men, I cannot say which, called on me to come on deck. Presently several of the men came down into the cabin, Lyons, who was spokesman, and Blanco, Duranno, and Santos, Chancis otherwise Lopez, and Carlos being among the number. They stood in a circle round my berth, and others, whom I could not recognize, stood behind them. Lyons called me out of my berth. I asked what he was going to do with me, if he was going to kill me. He said, "No; but we have killed the captain and the mate, and the captain's brother has got away somewhere, we don't know where." I think he said "we." Lyons wished me to navigate the vessel to some place where they could land; nobody on board, he said, knew any thing of navigation. The other prisoners whom I have mentioned were all then within hearing. I had opened my door and come out at this time. Blanco, Duranno, Lopez, Watto, Carlos, and Santos were then present. I asked to what place I was to navigate the ship. Carlos replied to the River Plate or Buenos Ayres, speaking English. He said it was a good country, and there were plenty of Spanish people there. That was all that then passed. The ship at that time was 19 S. and 36 W. I next saw Watto with a rope round the captain's neck, and hauling his body out of the cabin. I begged of him to allow me to sew the body up in canvas, as I did not like to see it going overboard in that state. He consented, and I sewed it up. I went on deck about 5 o'clock



in the morning. There I passed Santos. He was armed with a large knife, and he put his hand on it in a very threatening manner. About 8 o'clock in the morning all hands came into the cabin except the man at the wheel. Lyons, speaking in English, asked to go into the captain's berth, saying the men wanted to see what money and clothes he had got. The chief actors in gathering up the money were Blanco, Lopez, Watto, and Carlos. They rummaged all the boxes and desks, and the money having been collected and put on a table in the main cabin, Lyons told me to share it in seventeen parts; but Watto objected, and wanted to have it apportioned among eight of them. He spoke in Spanish, a little of which I understand. I divided the money into seventeen parts. Lyons wanted me to have a share. I objected, but he insisted. I put my share into a writing-desk, and never saw it again. They did not ask me to divide the captain's clothes; each took what he liked. The captain's watch was put into the writing desk; I cannot say by whom. Some one said, "We'll sell it at some future time, as we cannot divide it." There was a case of boots and shoes, and each of the men present helped himself to them. The cargo consisted of wine, bottled beer, and bale goods. The champagne was broached, and I saw cases of it, with bales of merchandise, knocking about the decks. A few days afterwards I sighted a ship, and asked Lyons to let me hail her, as I wished to compare longitude. He said he did not think the men would allow me, but he would go forward and ask them. He did so, and on his return he said I might hail her, but I was not to say what had occurred. I steered towards the ship, which proved to be the "Friends" of Liverpool. Carlos told me to say our ship's name was "Louisa," which I did, adding that she was from Nieuw Diep, bound for Valparaiso, and seven days out. I did that because I was afraid for my life. After the ship had passed there was a great noise among the Manilla men, the Spaniards, and the two Greeks. They spoke in Spanish, and looked in a very threatening manner towards me. Lyons explained to me that those of the men who did not understand English thought I had told all about the matter. On the 13th of September Watto was on deck, and I saw him take a knife to the steward, and cut him through the fleshy part of the arm. Next day I was called into the steward's berth. Blanco, Watto, Lopez, and Duranno were there then with the steward, and Lyons stood outside the door. I had told the steward to get the ship's papers collected together. He had done so, and they picked them up and hove them overboard. Lopez said they were looking for the gold watch, and he asked if I knew where it was. I said I did not. On the morning of the 2nd of October we first sighted land; being then about ten miles out at sea. At the appearance of land the crew refused to speak to me, dispensed with my services, and put the ship about. About 8 o'clock that night Blanco came into the cabin and ordered me on deck. I went up and found they were clewing up the sails and getting the boats overboard. I asked Lyons what they were going to do with the ship. He would not speak to me. About ten minutes afterwards Marsolino passed close to me, and I asked him what they were going to do—if they were going to kill me. He said he was not, but he thought Blanco was. About three-quarters of an hour afterwards I got into the boat with the cook, the steward, Frank Powell, Watto, and the boy Early. Some of the rest of the crew were on board the ship, and some in a boat made fast to the stern of the vessel. The boat in which we were was pulled away from the ship about 100 yards. We were called back, I could not say by whom. Powell, Watto, Early, and the cook were pulling. Nobody in the boat wished to return but Watto. He ordered Powell to put the boat's head round, which Powell re-

fused to do, and Watto, using an oar, compelled him. The boat having been pulled alongside the ship, Lyons, speaking in English, ordered us to come on deck, which we did. When I got on deck I saw Lyons and Duranno throwing bottles of champagne into the boat. I saw the steward swimming in the water, and calling for help. He did not reach land. I was ordered into the boat astern of the ship by Lyons and Blanco, and I went. I stayed there about an hour and a half. Several things were put into the boat, but by whom I could not say, it being too dark. Lyons, Duranno, Lopez, and Blanco got into the boat with me. They were the last to leave the ship. Some of the crew were in the other boat. As soon as we left the ship she went down. I did not see the cook, or the lamp-trimmer, Cassap, land. We steered for land, the smaller boat being towed by the larger one. We landed at 4 p.m. on the 4th of October. When we landed Lopez said I was to say the vessel was an American ship from Peru, laden with guano for Bordeaux; that she had foundered 100 miles out at sea, and that we had been in the boat five days and nights. I was also to say that the captain and others got into a boat in a heavy breeze, but which way they went, or what had become of them, we did not know. We stopped that night at the house of a farmer, who drove us next day to Rocha. There I found that there was a man at a place called the Camp, twenty miles off, who could speak English. Candereau, the Frenchman, and I went there, without the prisoners knowing, and found the man named Ramoz. To him we related what had occurred, and we were afterwards examined before the naval court-martial.

Cross-examined.—The captain was not a temperate man, but he did not drink much. He gave the watch on duty the privilege of sleeping on deck under a sail, at times when they were not wanted. They did not complain of not being allowed to sleep in their berths. Lyons spoke English well, and Carlos spoke it the next best. When we wished to communicate any thing to the crew, we did so through Lyons. Lyons had a severe cut across the face, and was bleeding very much when he called me out of my berth. That was the first time I had seen him after the death of the captain. I remember going to Lyons, and clinging to his shoulder, as I rested my hopes on him. When he first addressed me, I cannot exactly say whether he said “we” or “they” had killed the captain and mate. After this affair I always communicated with Lyons in navigating the ship. I could not say that one man was more prominent than another in managing the vessel. After we had parted with the vessel which we sighted, I understood by Lyons’s looks that he was interfering in my behalf with the men, and I have not the slightest doubt that he saved my life.

Cross-examination continued.—Carlos and Blanco had a fight after Carlos was tied up to the bulwark. One of them had a knife and another a handspike, and the mate, with witness, interfered to separate them. Spanish, of which the captain spoke a little, was the general language in use on board the ship. Carlos (who is a white man) slept in the same compartment with the blacks, but witness did not hear him complain of that arrangement. Ordinarily white men objected to sleep with blacks. The captain was very kind to Carlos after he found him bound to the bulwark. He ordered him to turn into his berth, and finding he was unwell, he gave him medicine. It was Carlos, and not Lyons, who directed witness to steer to the River Plate. Witness replied to the effect that if they were to go there he (witness) should be punished first, as he was in command of the vessel. He and Carlos were then on the quarter-deck, and that was on the 10th of September. Carlos said that Buenos Ayres was a good

place to land, for there were no English authorities there, that the people were all Spanish, and that they (the crew) could get away. Carlos might have said, "No, we shall not be punished, as we had nothing to do with the murder." Witness could not swear whether or not Carlos used that expression. It was Carlos who told him to call the ship "Louisa." He and witness were then on the quarter-deck, and some of the blacks were near.

James Early, a lad of 17, said,—I shipped on board the "Flowery Land" as ship's boy. On the morning of the 10th of September I was on the look out on the fore-castle, and heard the chief mate, who was on deck, singing out "Murder!" Duranno was striking him with a handspike. I went and spoke to the mate, who told me to call the captain. I was going to do that when Duranno ordered me into the deck-house. I went into the deck-house and called the carpenter. He went out and returned in about five minutes. He and I remained there until about half-past five in the morning. Watto came and called Candereau, who was in bed. Watto, who had a capstan bar in his hand, told the Frenchman to go and take the wheel. Candereau said that it was not four o'clock—the time of his watch—and at first he refused to go, but he afterwards went. I do not know why the Frenchman went, unless he was afraid of Watto, who stood with the capstan bar in his hand. About six I and the carpenter went on deck. I then observed blood on the main-deck, and also on the companion door. I went into the cabin, and saw the captain's body wrapped up in canvas. Taffir, the second mate, was sitting there crying. Lyons, Lopez, and Watto were also there. Lyons was directing Taffir to navigate the ship to a place they wished to go to. Taffir said he would if he could. They said they wanted to go to the River Plate. He replied he would go there if they would save his life. I saw Lopez put a rope round the captain's body, under the arms, and heard him call to the men on deck to pull him up. They did so, and he threw the body overboard. I was then standing at the wheel. Blanco afterwards called me into the cabin, and said they were going to share the money. All on board were there, except the man at the wheel. Money was lying on the table, and I heard Lyons tell Taffir to divide it into seventeen shares. Taffir said he did not want any of it. Lyons said the crew wanted him to divide it. Watto wished to have the money shared among eight, but Lyons said they should all have a share. I got about 4*l.*, of which 1*l.* 10*s.* was in English money, the rest being moidores. I never saw the body of the captain's brother. Blanco said the first mate was singing out for the second mate when he (Blanco) threw him overboard. About three weeks after that we made the land. I remember the boats being got ready to go away. I assisted. The second mate, the cook, the steward, Frank Powell, and Watto got into the first boat and rowed off. I had an oar. The party in the other boat, which was fastened to the stern of the ship, called us to come back. We went back, and the second mate, Watto, and I went on board at the bidding of Myers. Some men had got into the hold—the carpenter, and Lyons, and Carlos—before we had left in the boat. When we returned they were on the deck. The steward refused to leave the boat, upon which Lyons and Duranno began to throw bottles of wine at him, some of which struck him. I afterwards saw him in the water, crying out to Lyons for help. Lyons said he would not help him, for he had deceived him before, and that that was a too easy death for him. He was drowned. I again went into the boat, and was afterwards landed.

Cross-examined.—Witness did not see the steward drowned. Lyons had two cuts across the face, and was bleeding slightly. When he saw Lopez in the cabin, it was about 6 o'clock, and quite light. He was quite sure it was Lopez who put



the rope round the captain's body. Lyons was there at the time, as was also the second mate, who could hear all that passed. Lyons assisted the second mate in navigating the ship. He appeared to have the management of the vessel, being the only man among the prisoners who could speak English.

Frank Candereau, who gave his evidence in French, was examined by the Solicitor-General. He said,—I was a seaman on board the "Flowery Land," and slept in a house on the deck with Anderson and Early. Some days before the captain was killed, I received a communication from Frank Powell which I repeated to the captain. I recollect the morning when the captain was killed, but I do not know the date. I was awakened about half-past 3 by the carpenter and little Jemmy (Early). They were trembling, and the carpenter was weeping. They had told me to go to the wheel. I did so, asking if it was 4 o'clock. They said it was not, but that I must go to the wheel. As I went I saw the prisoners all together in a lot, but as it was dark I could not distinguish them. Seven or eight of them had handspikes in their hands. I spoke to Frank Powell, who told me that the captain's brother and the first mate were in the water. I asked after the captain, and he said, "Look there; he is dead in the cabin," pointing there. I looked through the skylight, and saw the captain lying there dead. I went into the cabin when it became daylight, and saw the body of the captain, which was wrapped in canvas. A rope was thrown over the mizenmast, and the body was hauled up with it by Watto, and another of the prisoners and myself. Watto told me if I did not lend a hand I must take care of myself. A number of people were then in the cabin at the time, but I could not say who they were. The room was "full" of blood. After the captain's body had been thrown into the sea, the cabin was washed a little, and the boxes were opened by Watto, Lopez, and Duranno. I saw some money taken out and laid on a table. Lopez said the second mate was to share the money among all the people on board. I did not hear any one else say any thing else about the division. The second mate was told to divide it into seventeen parts, which he did, and eating and drinking went on afterwards all the day long. The second mate navigated the ship. Some days afterwards Santos was in the cabin sharpening a knife, and he said, "In two or three days I shall kill you." I said, "Well, kill me." He also said, speaking in Spanish, "This knife will serve you as it has served the captain." I remember when land was seen. It was not then daylight, and we put about the ship. She was afterwards brought round again, and about midnight I, Santos, and Carlos got into a boat at first; Cassap, the lamp-lighter, afterwards entered it. Lyons, Lopez, Duranno, and Blanco called him on board the ship again, and he went. I remained in the boat. I heard Cassap cry out, "Finish me quickly!" He was then in the cabin. Lyons, Lopez, Duranno, and Blanco were then on board the ship. I saw the steward in the water.

Michael Anderson, a Norwegian, was next called. He said, speaking through an interpreter, he was carpenter on board the "Flowery Land." After the voyage began he heard the captain say he did not like the crew, because they would not do their work. He had seen the captain strike the cook, steward, and Watto. He once saw him strike Watto on the head with his flat hand, telling him he had shipped as an able seaman, but could not do his work. He had also seen the captain strike Santos, but without hurting him. About 2 in the morning on the 10th of September, the boy Early called him up, and on going on deck witness saw the chief mate lying near the steps leading to the poop. The mate asked who he was. Witness replied, "The carpenter." He asked witness to help him into the cabin. His arm was broken, and his face was smashed to

pieces. As witness was assisting him he was struck on the back of the neck, he could not say by whom, with a capstan bar. He afterwards heard Marsolino say it was he who struck him. Witness fell from the blow and had a stiff neck for three or four days. He went into his berth, and was called again about 6 o'clock. He then saw the captain's clothes parted in the cabin. All the crew were present, except the man at the wheel. Blanco, Watto, and he believed the Frenchman, threw the captain overboard. As the body was thrown overboard, one of them, either Blanco or Watto, said, "There goes the captain; he'll never call us sons of — any more." After the English vessel had been spoken he saw Lyons, Watto, Blanco, and some other of the prisoners sitting on the forehatch, quarrelling. He could understand they were talking about the carpenter and the second mate. He heard Lyons say, "If you like to kill the carpenter and second mate you can; I shall not do it." Lyons was then speaking to the lot of them. Lyons told witness he must look sharp and do whatever the crew told him if he wanted to save his life. After that Santos and Watto sharpened their knives on his whetstone, telling him as they did so that in a very short time they would kill him. They said they were going to kill the steward and the Frenchman. Watto told him he had killed sixteen men before with that knife. When they first made the land witness received orders from Lyons and "the lot of them" to have his tools ready, besides candles and matches to make a hole in the ship. About a week before that, they told him they were going to scuttle the ship. In consequence of that he had got a lot of oakum and plugs ready to stop the hole he might have to make, believing then that they were going to leave him in the ship. Carlos gave him the order first in the evening between 6 and 7; but the other men said it was too soon. About 10 o'clock he received orders from Lyons to go down the hold. Carlos, Lyons, Blanco, Duranno, and Frank Powell went down with him. Each of them had a couple of knives and some slung shot, and he knew the men were in possession of the captain's revolver. He bored four holes forward and four aft. They all then went on deck, and Lyons told him (witness) to get into the boat as quickly as possible. Lyons on a previous occasion had told him to fasten down the hatchways, except the fore hatch, and every thing loose on deck, and to use long nails in doing so. Instead of that witness cut all the lashings, in order that the things on deck might float, and he used small nails, so that if any of the crew should be left below they might force their way up.

By Mr. Baron Bramwell.—Of those who came to his cabin door he remembered Watto, Blanco, and Carlos; but he could not say which of them spoke. This was after the first mate was killed, and he believed before the captain was killed. The reason why he did not tell the captain was that they struck him down as he went to do so.

Joseph Williams, a young man of colour, of about 17, and an ordinary seaman, said he was in the second mate's watch the night the captain was killed, from 8 to 12, and went to bed as soon as his watch was over. He saw Powell in bed when he turned in. He remembered Duranno coming into the deck-house and saying he had killed the mate. That was about 5 o'clock in the morning. He went out of the deck-house and saw Blanco and the rest, who were saying they were going aft to kill the captain. They went aft. The same day he heard Blanco say to the rest, "I stabbed the captain three times." Blanco also said, "I stabbed the captain's brother three times." Watto said the same, and Lopez said he helped them. Lyons was not then present. Witness remembered Lopez telling him he struck a light to see where the captain was. He heard Watto say

the body of the captain's brother was very light, for he threw it overboard himself.

Frank Powell, otherwise Paul, said to be a Slavonian, deposed that he was a seaman on board the ship. On the night of the 10th of September he was on the first watch, and turned in at 12 o'clock. The first mate succeeded him. Witness got up at about half-past 3, hearing a screeching noise on deck, and saw the chief mate lying on the deck, groaning. The carpenter came and spoke to him. He asked the carpenter to help him, and he did. One of the crew—he could not say which, as it was dark—ran after the carpenter with a handspike, and struck him on the back of the neck. He afterwards heard Lyons tell Taffir to take the vessel to some port where they could get clear. He also heard Duranno say, "I had a 'heaver' (a piece of wood used for splicing ropes) and the first time I struck the chief mate I felled him;" and then Blanco said, "After I saw you strike him I took the handspike, and struck him on the head." Watto said after they called the mate he was in the cabin with Lyons, Blanco, and Lopez; they struck a light to see where the captain was sleeping. They found the place. Lyons was holding the candle. Watto, Lopez, and Blanco stabbed the captain, the whole three of them. When that was said the whole gang were in the fore-castle, and they could hear it. Lyons, Blanco, Duranno, Santos, Watto, Lopez, and Marsolino were present and laughing when Watto made that statement.

Cross-examined.—Witness was taken into custody with the rest of the prisoners. He had a share of the money and helped to drink the champagne. It was on the deck, and he and the rest had whatever they liked to take, the carpenter and Williams being among the number. The conversation about killing the mate was in Spanish, which witness understands.

This being the case for the prosecution, the counsel for the several prisoners in turn addressed the jury, and the Solicitor-General replied.

Mr. Baron Bramwell, in summing up the case, impressed upon the jury that the prisoners were then being tried for the murder of the captain alone. There could be no doubt, he said, that the unhappy man was murdered, and that his body was thrown into the sea. The question was, were the prisoners, all of them, and, if not all, any, and which of them, guilty of murdering him? It was almost a certainty that some of the eight prisoners were guilty; but, though the jury should think that seven of them were guilty, and that one was not, but which one they could not tell, then they must acquit them all. Any one who struck a blow conducing to the death would be guilty, as would also any one who assisted; so if one of the prisoners held the captain while the others stabbed him, or if he held a light, or stood in the doorway to prevent any one coming to his assistance, he would be equally guilty with the person by whose hand the captain died. Again, if several persons had a common design, which they agreed should be carried into execution by murder, then they were all guilty of murder, if murder was committed by any one of them. It was imputed to the prisoners that they had a common design which they intended to carry into effect by acts of violence, and by murder if necessary. The suggestion on the part of the Crown was, that they intended to get possession first of the ship, and then of the captain's property and of the cargo, and then to scuttle the vessel, and land themselves on some place where they would be safe from pursuit. The jury would have to consider whether there was such a common design, and whether it was intended to be carried into execution by violence. The learned Judge then reviewed the evidence, and pointed out in detail how it appeared to affect, and in what degree, each of the prisoners. He very much feared that it would be even now



exceedingly difficult for them to carry in their minds the cases of the eight different prisoners. If they had any difficulty in that respect after they retired,—for he presumed they would retire,—and would return and state it to him, he should be happy to read any portion of the evidence to them. He purposely declined, he said, to use any exhortations to them to do their duty in a matter so momentous. He would only urge them to endeavour to find a just and true verdict, without fear of the result either one way or the other.

The jury left the Court, and returned after a considerable interval with a verdict of *Guilty* against seven of the prisoners, namely, Lyons, Blanco, Duranno, Santos, Watto, Marsolino, and Lopez; *Acquitting* the prisoner Carlos.

On being asked, through interpreters, what they had to say why sentence of death should not be pronounced upon them, some of the prisoners, especially Blanco, Duranno, Santos, and Lopez, made statements incriminating each other, the witnesses Powell and Williams, and to some extent the second mate, but most of them agreed in absolving the carpenter Anderson and the boy Early. According to Santos, Duranno and Lyons killed the mate. Lopez declared that some of the prisoners were innocent; that there were four who committed the three murders; and that the two men who had been discharged were the most guilty of all. Lyons made no statement, nor did Marsolino. Blanco particularly complained of ill-treatment and of the way in which the ship was victualled, leaving it to be inferred that those were the exciting causes of the mutiny. He also stated that Carlos, with others, was concerned in killing the captain's brother.

Mr. Baron Bramwell, having assumed the black cap, said, addressing the convicts,—You have been found guilty of the crime of wilful murder, and it is now my duty to pass upon you the sentence of the law. After some experience and very much reflection, I have come to the conclusion that I shall best discharge that duty by adding to the form of words prescribed by law no observation of mine of any sort or kind. The learned Judge then pronounced the sentence of death in the usual form, and it was afterwards interpreted to them in their own languages.

The prisoner Carlos, though acquitted on the capital charge, was afterwards indicted and convicted of the offence of scuttling the vessel, and was sentenced to ten years of penal servitude.

An account of the execution of some of these unfortunate men and of the mercy extended to the others, will be found in the *Chronicle* (*ante*).

### III.

#### GEDNEY v. SMITH.

The features of this very singular case more resemble those which form the basis of a modern sensational novel than the actual occurrences of real life. It arose upon a Bill filed by Miss Harriet Frances Holgate Gedney, a minor, to obtain a declaration that she was the issue of Mr. Patteson Arthur Holgate Gedney by his late wife Harriet Gedney, and the execution of two settlements securing certain property under the marriage settlement of that lady and gentle-

man to the issue of the marriage. The plaintiff claimed to be their only child, and her case was, that Mr. and Mrs. Gedney were married in the month of May, 1851; that from 1851 up to 1854 there was no issue born of this marriage, but that in the month of February, 1854, Mrs. Gedney was confined of the plaintiff under the following circumstances:—Mrs. Gedney discovered herself to be in the family-way in 1853, and in the beginning of 1854 came to London to take medical advice as to her general state of health, more particularly as to her spitting blood. On the 10th of February, in the last-mentioned year, while staying at lodgings in Park-street, Grosvenor-square, she was suddenly seized with the pains of labour, and sent to King-street, Lincoln's-inn-fields, for a person calling himself Dr. Goss, who delivered her of a female child, the plaintiff. Mrs. Gedney immediately sent off to her husband, who was in Lincolnshire, to come up; her husband got the notice of her confinement on a Sunday morning, and started by the next train to London to see her; he was dissatisfied with her being attended by Dr. Goss, whom he immediately paid off and discharged, together with Mrs. Goss, who also appears to have assisted at the accouchement; Mr. Gedney then immediately went to Dr. Farre, an eminent physician at the west-end, and engaged him to attend upon Mrs. Gedney; Dr. Farre did immediately take up the case, and attended upon Mrs. Gedney from the time he was called in—which was three or four days after the alleged confinement—until Mrs. Gedney returned to Candlesby Hall; Mr. Gedney duly registered the plaintiff as his child before leaving London, and had her baptized as soon as he got back to Lincolnshire—Mrs. Gedney's brother, Mr. Stapleton Smith, the principal defendant in this suit, standing godfather to the child at its christening. From the birth of the plaintiff in 1854, until the death of Mrs. Gedney in 1857, the plaintiff was always treated by Mr. and Mrs. Gedney as their only child, and so received in the family. Almost immediately upon the death of Mrs. Gedney, and on the very day of the funeral, Mr. Gedney received a letter from Mr. Smith, Mrs. Gedney's father, alleging, for the first time, that the plaintiff was a supposititious child, and not really the child of Mr. and Mrs. Gedney; and since that time Mrs. Gedney's family, so far as the settled property is concerned, had disputed the plaintiff's right to such property. In answer to the case of the plaintiff, the defendants, as the representatives of Mrs. Gedney's family, and entitled to the reversion of a considerable part of the settled property, failing any real or legitimate child of the marriage of Mr. and Mrs. Gedney, contended that the plaintiff was no child of such marriage, but the child of some stranger, procured for the purposes of arresting the gift over in default of children, the defendants' case being that at the time Mrs. Gedney was alleged to be pregnant she was not in the family-way at all, but was principally suffering from venereal disease, given to her by her husband; they undertook to prove by the evidence of medical men living in the neighbourhood of Candlesby Hall, and by the servants of Mr. and Mrs. Gedney, that at the time when the latter came to London she was not and could not have been in the family-way; that from the state of her person, examined after death, she had never had a child; that at the very time of her going into lodgings in Park-street, Grosvenor-square, she could not be near her confinement; that just at the time when it was alleged that she was confined Dr. Goss had gone to a lying-in asylum in the Borough, and bought a child of a poor woman (exactly answering the description of the plaintiff as a child), on the representation to the woman that such child would be adopted by, and brought up as, a lady; that the whole allegations as to Mrs. Gedney's confinement, and the plaintiff being her child, were a tissue of inventions from beginning to end; and that Mrs. Gedney confessed to her

father on her death-bed that they were so. To support or refute these various allegations and many others introduced into the case, the following witnesses were called :—

Dr. Farre said,—I am a Doctor of Medicine of Cambridge, and Fellow of the Royal College of Physicians, London, &c. I have been in practice for thirty years, and reside at the west-end. I remembered, upon referring to my note-book, being called upon by Mr. Gedney, in the early part of February, 1854, to attend his wife, who had just been confined. Mr. Gedney informed me that a person named Goss had had charge of the immediate confinement of Mrs. Gedney, that he had objections to Mr. Goss, and that he wished me to take charge of the case. I declined to meet Mr. Goss in consultation, but eventually consented to take up the case, on not being required to go into consultation with Mr. Goss and my having the sole conduct of it. I found Mrs. Gedney in bed, in the usual condition a lady would be in who had only been confined three or four days, and I saw the baby, who, as far as I remember, was an ordinary child for its age. I saw Mrs. Gedney every day for the first week, every alternate day for the second week, and during the third week rather oftener—in fact every day from Wednesday till Sunday, owing to the lady suffering from weak breast, or something of that kind. What she was so suffering from was nothing very serious, or I should have remembered it more distinctly. Nothing like puerperal fever, for instance.

Cross-examined by Sir H. Cairns.—The child appeared to be about a two or three days' child. My visits were such as I usually make in such cases. I nearly always feel the womb, the uterus, and the abdomen. If there had been any thing remarkable in Mrs. Gedney's case I should have remembered it. I do not remember whether she suckled her child or not. I know nothing about Mr. Goss. Ladies in their confinement are usually bound up round the abdomen. I have no recollection of when Mrs. Gedney first sat up in bed.

Re-examined by Mr. Edward James.—I keep such class of patients in bed about four days ; allow them to get up at the end of a week, then go on a sofa, but not put their feet to the ground until after a fortnight. The third week they may walk about the room, and perhaps move into another room. There was nothing in Mrs. Gedney's case, as I remember, to make me look upon it as different from other cases.

By the Court.—Would it have been possible for the lady not to have been confined at all ?

Dr. Farre.—Certainly not.

By the Court.—Have you any doubt whatever ?

Dr. Farre.—Not the least.

The Court.—Have you any doubt that the child had been recently born ?

Dr. Farre.—No.

The Court.—Was there any thing peculiar to strike your attention, either in the child or the mother ?

Dr. Farre.—Nothing whatever.

Mr. Patteson Arthur Holgate Gedney said,—I was married on the 29th of May, 1851, to Miss Smith, the sister of the defendant Stapleton Smith, and continued to reside in Candlesby House until my wife's death in 1857. We had no children born before the plaintiff. There were two or three miscarriages. I remember Mrs. Gedney being in the family-way in the year 1853. She expected to be confined in the spring of 1854. I remember her going to London in the early part of 1854 to consult a medical man. I received two or three letters from her at that time, but have lost them. In her last letter from London she said she had been confined



of a little girl, and one so fair that she intended to call her little Lily. I left Candlesby by the next train. It was on a Sunday. I arrived in London at two in the morning, and, as it was so late, did not go and see Mrs. Gedney till 9 o'clock. I found Dr. Goss attending her; made inquiries about him, and was not satisfied with what I heard. Paid him his fee, and dismissed him. In seeking for another doctor, went to Dr. Ferguson first, and then went to Dr. Farre. There was a wet nurse. My wife complained of a difficulty in suckling, and was ordered not to do so. The wet nurse was dismissed, as her milk did not agree with the child. I got a second nurse from the Middlesex Lying-in Hospital. Got a third nurse by advertisement who remained twelve months. I went with Mrs. Gedney when she was churched, at a church close by our lodgings in Park-street. This was the first time she left the house. Never had reason to suppose the plaintiff was not my child. My wife treated the child kindly, as a mother would. My wife died in my house in March, 1857. She was ill about a month, and died of consumption. During her illness she treated the child with affection and love. The child was registered in London, and baptized on its return to the Hall, my cousin, Miss Healey, a Miss Fowler, and my wife's brother, the defendant, Mr. Stapleton Smith, standing sponsors. From her birth to the present time I have no reason to doubt the plaintiff being my child.

Cross-examined by Sir H. Cairns.—I lived in the same house with my wife in Park-street. Mrs. Stevens was the name of the landlady. Saw her last in court this morning, and she pointed out to me her husband. The income of the 2000*l.* settled by Mrs. Gedney's family was to be applied for the use of her child after her decease. I never applied to the trustees till 1863 for such income. I then applied through my solicitors, Messrs. Staniland and Co. Messrs. Staniland are not now my solicitors. I have had my suspicion that plaintiff was not my child. A letter from my wife's father, received on the day of her funeral, first raised my doubts. I did not see Dr. Goss after this letter from my wife's father. Never saw either Dr. Goss or Mrs. Goss since. Saw Mrs. Stevens two years after I received this letter, and my suspicions were continued up to that time. I could not find Dr. Goss, although I endeavoured to do so. Do not remember whether it was in 1859 or 1860 when I saw Mrs. Stevens. I did execute a deed dated in April, 1860, which expressed a doubt as to the legitimacy of the plaintiff. My then solicitor prepared the deed, but without my authority. I took no step from 1857 to 1860 to clear up my suspicions. I did not believe the statements in my father-in-law's letter, although they raised my suspicions and doubt. I intended to have taken steps to have it declared that plaintiff was not the issue of our marriage. My wife came up to London in the beginning of February, 1854. She brought no maid with her. She did not come up to be confined, but intended to be confined in Lincolnshire. Dr. Grantham sometimes attended my wife, and a Dr. Porter, a friend of her family, sometimes saw her. My wife went to London to consult a doctor, because she spit blood. I only saw Dr. Goss once, when Mrs. Goss was also in the room. I do not know whether Mrs. Goss is a female accoucheur. I paid them their fee—eight guineas, I think. The wet nurse, a Mrs. Osborne, stayed two or three days afterwards. I do not know whether she was or was not employed by Dr. Goss. I sent her away because her milk did not suit. Dr. Goss advised my wife not to nurse her child. There was no monthly nurse. I know a Miss Conway Walters. She is my cousin, and was at Candlesby during my wife's last illness. I do not remember the names of any of the cooks, ladies' maids, or housemaid at that time. The coachman's name was Inch; the farm bailiff's, Wray. Do not remember any dressmaker's name. Do not remember

complaining of my wife's unkindness to our child, or of the child being meanly dressed. I remember my wife consulting Dr. Blundell; but do not know whether she did so about her confinement. My wife and I did not live happily together. She suffered from venereal disease—syphilis. She got it from me. I have been married since my wife died in 1857. I am separated from my present wife. There is no case before the Divorce Court. Two days before the present Bill was filed I made an absolute appointment in favour of the plaintiff.

Re-examined by Mr. James.—I am separated from my present wife by mutual consent. Mr. Staniland, the solicitor, was introduced to me by my wife's family, and my first business with him was my marriage settlement. He acted for the Smiths as well as for me. My wife wore flannel over her breast to prevent the milk oozing through and spoiling her dress.

By Sir Hugh Cairns.—That was before she was confined?—Very shortly before.

By the Court.—Did you see Dr. Farre in presence of your wife?—I believe so.

By the Court.—Are you quite sure Dr. Farre saw your wife at all?—I am quite sure that Dr. Farre saw my wife.

Miss Harriet Walter called, and examined by Mr. James for the plaintiff.—Was on intimate terms with Mrs. Gedney, and was staying at Candlesby in 1853, when that lady was in the family-way, and expected her confinement in the following spring. She was treated by every one as a person in the family-way would be, and after the child was born she always behaved kindly, and as a mother would to it.

Mr. Patteson Gedney was recalled, and, in answer to questions put to him, said it was a Mr. Uppleby who told him he ought to get rid of Dr. Goss, as a most improper and unfit person to attend his wife.

This being the case for the plaintiff, the evidence for the defendant was opened with the deposition of Dr. Porter, which testified to his going with Mrs. Gedney to Dr. Blundell in 1852, when she was pronounced not to be in the family-way, though she thought she was. She was anxious to be in the family-way, and constantly fancying herself so. He (Dr. Porter) saw Mrs. Gedney after her death, and from the appearance of her body she had never had a child.

Dr. Grantham, of Lincolnshire, was then called and examined by Sir Hugh Cairns for the defendant.—He attended Mrs. Gedney professionally in 1853, in August and September. Since he was compelled to answer, he was bound to say it was for a form of venereal disease. He arrived at no conclusion as to whether she was in the family-way or not. He thought not, judging from appearances. She was a thin, spare, fragile creature.

Cross-examined.—Did not consider her disease secondary symptoms, but gonorrhoea. A woman who has had a child may avoid discovery. Mrs. Gedney, in 1853, led him to believe she was in the family-way. Had known cases of women not being discovered to be in the family-way until birth of child. The present style of dress was likely to conceal pregnancy. Never knew a case where a married woman wished to conceal such a condition. Could not come, from his own observation, to a satisfactory conclusion as to whether Mrs. Gedney was pregnant or not.

A number of servants and people living about Mr. and Mrs. Gedney were then called, and deposed to the plaintiff as a child not being like her alleged parents; to Mrs. Gedney not behaving like a mother to the child; and to her presenting no appearance of pregnancy previously to her going to London in 1854.

Mary Stevens, examined by Sir Hugh Cairns.—Lived in 1854 in Park-street

with her husband. She remembered Mrs. Gedney coming there and taking apartments. Gave her card. Wanted the room for a week or two, and said she had come to London to see a medical man. Observed no symptom of pregnancy, but did not notice her particularly. On the following day was told by Mrs. Gedney that she expected to be confined. Told her that her confinement was not so near. She said, "She was so thin that it could scarcely be seen as well as in a stouter person." Dr. Goss called next day. He called more than once. Had never seen him before. Mrs. Gedney admitted Dr. Goss was not her family doctor, but said she had known him for some time. Dr. Goss called on the Friday, and remained about an hour—not quite. Witness undressed Mrs. Gedney between 8 and 9 and put her to bed. She appeared as usual. Dr. and Mrs. Goss came that evening at a quarter past 9. They came in a cab. Did not know whether it was a closed cab or an open one. They went into the sitting-room without being announced, and as they went in they closed the door. Dr. Goss stood before Mrs. Goss while she passed into the room. Mrs. Goss had a bundle under her cloak. Asked Dr. Goss whether he would send for a nurse, and he said he would in the afternoon. Mrs. Goss held her cloak up to her face, saying she had a toothache. After being in the room three-quarters of an hour, Dr. Goss came to the door and asked for some cold cream. Gave it him at the door, which he closed immediately. Could hear any sounds through the partition between the rooms. At a quarter to 11 the sitting-room door was opened, and Mrs. Goss called to her to come into the bedroom, and showed her the baby and Mrs. Gedney. The baby was dressed in the clothes of witness's child. Mrs. Gedney had herself made no preparations for her confinement in the way of linen or baby-clothes. Witness lent her linen. Witness asked whether the baby was alive before she touched it, as the child, though washed and dressed, had not cried. There had been no symptoms of labour when Mrs. Gedney was put to bed. Dr. Goss said he had burnt the after-birth. There was a fire in the room, and a mess about the fireplace and floor. Witness said that she would not leave the room until a nurse was sent for. Her own nurse, Mrs. Loopy, came at 12 that night, but was sent away the next night, because Dr. Goss did not require her services. Mrs. Gedney did not suckle the baby, and witness saw no appearance of milk. Nothing was done to remove it. A wet-nurse was obtained for the baby on Saturday. Witness was nursing her own child, so she nursed the new baby until the second wet-nurse came, after the first left. There was a second wet-nurse who came from Cornwall, and went back into the country with the Gedneys. Mrs. Gedney was moved out of bed on the following Tuesday. Mr. Gedney had a bed in the house. When witness last saw Mr. Gedney he said his wife had been buried ten days. Had not seen him since till the morning of this trial.

Cross-examined.—Saw disorder about the room on the day of the alleged confinement. The fireplace was sprinkled with blood. There was an appearance of something having been burnt. Had not heard the child cry. Asked if it was alive, because it looked pale. It cried during the night a little. Witness lived at the top of the house. Kept two servants. Had two children and a baby three months old. They were at the top of the house. Was up and down the stairs constantly. Felt anxious, and stopped occasionally by the door. Not liking Dr. Goss, suggested some more proper medical man should be called in. On this Dr. Farre was called in.

Re-examined.—The marks in the room could have been made artificially if a child had not been born. New-born children were usually red. Mrs. Gedney had not what witness considered proper medical attendance.



By the Court.—Saw no evidence of Mrs. Gedney having had any disease. Made preparations in consequence of Mrs. Gedney saying she was going to be confined. Dr. Farre came on the Tuesday after the alleged confinement. Stained linen was taken from the room up to Saturday. Witness changed it herself.

Mr. John Stevens, the husband of the last witness, remembered Mrs. Gedney coming to the house. He wrote himself to Dr. Goss, expressing disapproval of what was going on.

Cross-examined.—Took a message to Mr. Uppleby on the Sunday morning.

Christian Denner stated that Dr. Goss used to practice in Great Queen-street, and he believed that now the doctor's place of business was in Sutherland-street, Pimlico.

Thomas W. Smith examined.—Is Secretary to the York-road Lying-in Hospital. Produced admission-book of hospital for unmarried women of otherwise good character. There was a nurse in the hospital named Roberts in February, 1854. Dr. Goss had nothing to do with, and never had any thing to do with the hospital.

Lydia Fletcher examined.—Is now a married woman. Was at the York-road Lying-in Hospital on the 4th of February, 1854, and was confined of a female child that evening. A gentleman and lady came and proposed to take her child and adopt it. The child was fair and had blue eyes. They said they would like a little girl with blue eyes; and the child was taken away on the following Monday. They had been on the Monday before. They promised she should hear of her child in three months. She never saw or heard of it again. Witness's mother was living at the time and knew of the proposal. Her mother was now dead. Witness had since been married and was now a married woman.

Mr. Edward James (to witness).—I will not distress you by asking you any questions.

By the Court (to Sir Hugh Cairns).—Is the child like the witness?

Sir Hugh Cairns.—No; like the father.

Mr. Stapleton Smith, the alleged uncle of the plaintiff, examined.—Delivered a letter to Mr. Gedney on the day of his wife's funeral. It was from witness's father. Witness was aware of the contents, having copied it. His father signed it.

Cross-examined.—Lived thirty miles from Candlesby Hall. Was on terms of intimacy with his sister and Mr. Gedney, in 1853. Mr. Gedney frequently came to his house.

By the Court.—My sister had dark hair, not light.

Rev. Conway Walter examined.—Knew Mrs. Gedney, and had stopped at her house for two or three days together at different times. Mrs. Gedney was suffering very much. Had a conversation with her in reference to the plaintiff. She said that the child that passed as her own was not so; that she had been delivered of a still-born child; and that the plaintiff was a changeling. Witness told her that it would be unjust to the child to throw it on the world by such a statement, and that she should consult her father in preference to witness on such a subject.

Cross-examined.—No one was present. Mrs. Gedney at the time was very feeble.

By the Court.—Mrs. Gedney and her husband were not on good terms. Had no conversation with her about her husband. Saw no indication of wandering in her mind. Witness is thirty-three years of age, and was a clergyman at the time of the conversation referred to. Had been a year and a half in holy Orders at the time.

Elizabeth Evans examined.—Was Mrs. Gedney's maid in 1855. Mrs. Gedney did not seem fond of the child. Asked Mrs. Gedney if the child was like Mr. Gedney. She sighed, and said, "No; how could it be?" She gave witness her confidence, and promised that witness and she would be as fellow-heirs of an immortal kingdom. Those were her words. She admitted the plaintiff was not her child, but adopted as such to deceive Mr. Gedney. She said she believed it came from a hospital, and that she selected a girl instead of a boy, as a boy would have sooner become her master when he came of age. She said she had done it on account of her husband's unkindness. She frequently referred to the subject afterwards, and wished witness not to mention it to her father or his housekeeper. She said she never wished the child dressed costly because it was of mean birth.

Cross-examined.—Is a farmer's daughter, and lives in Montgomeryshire. Came to town in consequence of a letter. A solicitor called on her last Wednesday. Knew this case was coming on while she was on a visit in Lincolnshire. Saw Mrs. Tuck, who spoke to her about the case. Had not discussed the case, except with Mrs. Tuck. Witness never mentioned the matter before she went into Lincolnshire this time. Mrs. Gedney gave her to understand that the doctor who attended her in her confinement was her regular medical man. Mr. Gedney seemed very fond of the child.

Mary Roberts, examined by Sir Hugh Cairns.—Had been a monthly nurse in the York-road Lying-in Hospital from January, 1854, to June in last year. Recollected Lydia Fletcher being confined of a child, and a lady and gentleman calling on two occasions, and taking away the child on the last. The child was a fair child. Had since seen the gentleman who took away the child. Saw him at Pimlico. The gentleman's name was Dr. Goss. Saw him herself. Was sure he was the same person who took away the child with the lady. Had never before seen him since the child was taken away. Tried to see Mrs. Goss, but she was said to be unwell.

Cross-examined.—It is about a month ago since she called at Pimlico. Lydia Fletcher that had been, went with her the second time she went to see Mrs. Goss. There was no name on Dr. Goss's door. The gentleman did not tell her his name was Goss. Did not know he was Dr. Goss when he came to the hospital. A solicitor told her the doctor's name was Goss, and that she was to identify him. She saw the doctor about five minutes in the hospital. Was told to ask for Mrs. Goss at Pimlico, but did not see her. The second time Lydia Fletcher went with her to try to see Mrs. Goss. Saw the child taken from the hospital. The child sucked before it left, and the mother had plenty of milk. Was first spoken to about this matter in May last by the solicitor's clerk. He told her to go and see whether she could recognize Mrs. and Dr. Goss as the two persons who came to the hospital. Might have sometimes mistaken one person for another. It was ten years since the child was taken away. Had known another instance of a child being taken away about seven years ago. Five other women with children, besides Lydia Fletcher, were in the room when Fletcher's child was taken away. Did not remember the gentleman who took away the child saying any thing when he took it away. Remembered nothing that any one said on that day. She put a shawl on the child before it was taken away. No gentleman went with her to Pimlico.

Re-examined.—When she called at Pimlico she asked for Mrs. Goss, and was shown upstairs. She went to Pimlico in a cab with Lydia Fletcher, and no one else.

By the Court.—Was the gentleman much altered?—He was a little greyer.

Ellen Northover called and examined by Sir H. Cairns.—Remembered going in a cab to Pimlico; thought it was Sutherland-street. She followed Mrs. Roberts into the house and asked to see Dr. Goss. Was shown into a separate room, and waited there till Mrs. Roberts and Lydia Fletcher had finished with the doctor, when he came into the room where she was.

Cross-examined.—A Mr. Holland and a solicitor went with her in a cab. She took a paper with her to serve as a subpoena on Dr. and Mrs. Goss, and showed the original. He seemed rather surprised. Mr. Holland gave her two sovereigns, and told her to give one to Dr. Goss and one to Mrs. Goss. This was on the 20th of last October. Had not seen Dr. Goss since.

Sarah Cooper called and examined by Mr. Cracknall.—Was a monthly nurse, and was sent for to Mrs. Stevens's house in Park-street, in February, 1854. Saw a lady there, and Dr. Goss, and a child. Was there only twenty-four hours, when she was sent away by Dr. Goss. Did not see the child naked, but saw enough to see it was not a newly-born baby. Did not say so to any one at the time. Did not take the band off the baby. Mrs. Goss did all that was necessary for the baby. Remembers that the child was dressed when she arrived. She fed the child, but did not remove the bandage that kept its stomach comfortable.

A matron of the York-road Lying-in Hospital was here called, and identified an entry of the birth of Lydia Fletcher's child in the books of that hospital, on the 4th of February, 1854.

Dr. Ogle called and examined by Sir Hugh Cairns.—Was house-surgeon at the York-road Hospital in February, 1854, and remembered making an entry of Lydia Fletcher's child in the hospital book. Knew nothing about what became of the child, and did not see it taken away.

Sir Hugh Cairns then addressed the Court on the defendant's case, urging on the jury the weakness of the allegations on the part of the plaintiff, as compared with what he conceived to be the convincing proofs adduced by the defendants.

Counsel for the plaintiff having replied, the Master of the Rolls reviewed the evidence, and concluded by saying it was a very painful case. It was for the jury to consider what motives influenced Mrs. Gedney in foisting a supposititious child upon her husband, if she really was guilty of having done so. If she did so for the purpose of gaining the affection of her husband it must be remembered that she must have been aware that the scheme would deprive her father and brother of 3000*l.*, which would go to a child who was no relation to her at all. That was one motive by which, according to the suggestion of the defendants, she might have been influenced. Then there was another suggestion, that on her death-bed she wished to revenge the disasters of her life by inflicting on her husband one of the greatest of calamities. With these observations he would leave the case in the hands of the jury. He might observe that, so far as he was concerned, the decision of the jury, whatever it might be, should be held to be final.

The jury retired. On their return the foreman said their verdict was for the defendants—that, in their opinion, the plaintiff was not the child of Mr. and Mrs. Gedney. The jury trusted that the innocent sufferer by this verdict would still be protected by some member of the family.



## IV.

## THE HUTCHINSON WILL CASE.

KNOX v. SMEE.

*(Court of Probate and Matrimonial Causes.)*

This action, which raised questions affecting the competency of the testator, a convert to the Roman Catholic Church, and a member of the Brompton Oratory, to dispose of his property by will, was tried before the Judge Ordinary, Sir James Wilde, and as is usual in cases involving matters of religious controversy, was contested with much warmth on both sides. The plaintiff, the Rev. Thomas Francis Knox, propounded the will and codicil of the Rev. William Hutchinson, deceased. The defendants, Dr. Alfred Smee and Mrs. Smee, his wife, pleaded that the will was not according to the requirements of the statute, that the testator was of unsound mind and was unduly influenced by the plaintiff and others.

Mr. Karslake, for the plaintiff, said the will was dated 7th July, 1860, and the codicil on the 7th August, 1860. The testator died on the 12th July, 1863. Alfred Smee, one of the defendants, married Elizabeth, the testator's sister, who is the other defendant. The testator was son of George Hutchinson, a cashier in the Bank of England, who died in 1833, and the defendant Smee's father, Mr. Smee, was also in the Bank of England. The testator was born in 1822, and his sister in 1818. After their father's death, the testator, who inherited considerable property, and his sister, were brought up by William Smee with his own children, and, as already mentioned, Alfred Smee married the testator's sister, who was amply provided for under her father's will. The testator entered Cambridge University in 1843, and in 1845 he went to Italy, and made the acquaintance of Dr. Faber, a member of the Oxford University. The testator had previously expressed an intention to become a Catholic. This was violently but unsuccessfully opposed by Alfred Smee, who, in a letter dated 17th September, 1845, said such resolution arose not from reason, but from a mind diseased, and that he was lending himself to the "mummery" of such a relentless body, who would rob him of every farthing. On the 21st of the same month the testator was received into the Roman Catholic Church at Birmingham, and subsequently he became a member of the Oratory at Brompton. For three weeks before his death he was under the professional care of the defendant, Dr. Alfred Smee, who is a medical practitioner. The value of his property at his death did not exceed 5000*l*.

The Rev. Geo. Fred. Ballard, a member of the Brompton Oratory, proved the testator's signature to the will and codicil, to each of which he (Mr. Ballard) was an attesting witness. The Oratorians took no vows of poverty or obedience, and the members were entitled to withdraw at pleasure. The deputies of the order, and also the father of the order, were elected every three years. Witness never influenced the testator in making his will, nor did he know its contents when he witnessed the execution. Father Rowe, the other witness, and himself were the only persons present with deceased at the time.

Cross-examined.—The testator sent for witness to witness the will. There is

something like an erasure in the signature to the will (produced). That may have been caused by a thick pen. The ink is darker in the testator's signature, but not much, than in that of the witnesses' signatures. Father Faber was not present, but he was in the house at the time. Afterwards the codicil was witnessed by Father Stanton and witness. In 1855 witness noticed a great difference in the testator's health. His speech became partially affected, and his mouth was partly drawn aside. He left off preaching in 1855, owing to the state of his health, and to his defective articulation. His walk was not materially affected till he returned from the East in 1856. So long as a member remained in the house he was subject to regulations. The members did not sign the regulations, but they assented to them. Father Faber had great influence over the members, not as superior, but from his own attributes.

Re-examined.—Though Father Hutchinson had strong convictions on the subject of obedience, he exercised an independent opinion. Father Faber was a man of considerable abilities and distinction, remarkably pleasing in his manners, and very much beloved by those who knew him in both religions. I have myself been in a conveyancer's office. Blotting-paper makes a difference in the appearance of ink. We signed last, and if the blotting-paper had been on our signatures, they would probably be rather different in colour from the signature of the deceased.

Sir H. Holland said in 1857 he met Mr. Hutchinson at Mount Carmel, while travelling in the East, and was with him for about fourteen days. They travelled together, and for seven or eight days they were stationary at Jerusalem. With regard to intelligence, Mr. Hutchinson was perfectly competent. The only complaint for which he consulted him was a swelling of the larynx, which affected his voice, and he did not observe any sign of paralysis.

The Judge Ordinary.—Evidence as to the state of the deceased in 1857 appears to be immaterial.

The Rev. G. William was called for the plaintiff. He said,—In 1858 I was engaged in preparing a work on the East; and I had a correspondence with the testator (the Rev. W. Hutchinson) which I produce. (Five letters were accordingly put in.) I afterwards had an interview with him in January or February, 1859. I saw him at the Oratory. I found his mind perfectly clear and intelligent. He appeared to be of perfectly sound mind. (The witness was not cross-examined.)

In answer to the Judge, Dr. Deane, Q.C. (for the defendants) stated that his case would be that from 1855 the mind of the deceased began to show symptoms of that state in which it would be contended he was in 1860, the time when the will and codicil were executed, and when it would be shown that he was suffering from paralysis.

The witness was then recalled by his lordship, and stated that he had seen no symptom either of insanity or paralysis in the testator.

Sir James Fergusson, M.P.—I met the testator in 1858 in the Desert, and travelled with him for about a month. I spent the greater part of every day with him, and had a great deal of conversation with him on every kind of topic. He was then of perfectly sound mind. In April, 1861, I called on him at the Oratory, and spent about ten minutes with him. He appeared then to be in a state of extreme weakness, whereas in the East he seemed to be as vigorous as I had been myself. It did not occur to me that his mind was affected in the slightest degree. He seemed to take great pleasure in hearing me talk of our travels.

Cross-examined.—He spoke very little. I saw that he was weak, and I begged

him not to speak much ; but such answers as he made were perfectly connected. I did not observe that his mouth was at all drawn, or that he had any difficulty in forming his words. In the East he walked fast and strongly ; and he went up all the mountains with me. His voice was husky, like that of a man that had lost his voice from cold, but that was all. He told me that he had suffered much from exhaustion in London from his hard work, and that he had been ordered to travel for a year or two.

Re-examined.—He told me that he was knocked up with his mission work. He said that he confessed hundreds of people on a Saturday.

By the Judge.—He seemed very earnest, but he did not seem to be an enthusiast. He appeared to be like any other zealous clergyman ; and he told me that he had merged both himself and his money in his work.

Dr. Andrew White Barclay.—I first saw the deceased in March, 1860, in consultation with Mr. Teggart. He had then paralysis of one side of the tongue, which was in consequence smaller than the other. That was of some standing. He also suffered from hoarseness and a slight difficulty in swallowing. He was very weak, and lay down a great part of the day, but I made him walk across the room, and there was no halting in his gait. He had been taking iodine and corrosive sublimate, which I approved of, and I only ordered a stomachic powder. I thought his paralysis arose from pressure upon the organ of the nerves of the tongue. It did not, however, in the least affect his reasoning powers. I saw him again in April, and his general health seemed somewhat improved. He had been out of town. On that occasion also his mind was perfectly sound. I did not see him again till May, 1863. There was a greater general weakness, and his state confirmed my opinion that there was a tumour at the base of the brain, which affected the whole spinal system. His mind then was not so vigorous, but he was perfectly rational, and I should say perfectly competent to make a will.

Cross-examined.—The smaller side of the tongue had wasted considerably. I should have thought that Sir Henry Holland would have observed the paralysis if it had existed when Sir Henry saw him. The ninth pair of nerves, which were affected, do not come from that part of the brain which is believed by anatomists to be connected with the mind. The condition of the deceased was perfectly distinct from what is called the paralysis of the insane ; that paralysis never begins with paralysis of one side of the tongue. The testator's difficulty of swallowing was a local affection, and did not arise from paralysis. I made him walk in order to see if there was any "paraplegia" or "hemiplegia." There was nothing whatever peculiar in his gait. He did not walk when I saw him in 1863. He was too feeble. I think the progress of the disease did affect the brain, but not the mind—it only rendered it less vigorous and acute. There was no exaltation of ideas in the testator that I observed or could make out. I conversed with him about the history of his complaint, his travels, and so on. He did not refer to the Oratory, but he spoke of Dr. Faber as his friend. I saw him again in January. I told Dr. Faber that I thought it extremely unlikely that he would recover ; but I should think he did not receive extreme unction. He was exceedingly unlike a person that should have that right administered to him, for he was up and dressed, and walking about.

Re-examined.—I saw Dr. Faber professionally. He also was ill, and Mr. Teggart and I prescribed for him. For some time the testator had a seton in the back of his neck to reduce the tumour which we considered existed at the base of the brain.

Dr. Wm. Bell.—I am a physician and a homœopathic practitioner. I attended



the testator in May, 1863. I saw him twice a week for some weeks. He suffered from a great loss of power in the voluntary muscles, as high up as the tongue. I immediately saw that his disease was confined to the base of the brain. I could not see that it in the least affected his mind. I discussed nothing with him except his case.

By the Judge.—The disease was local, and was not of a character to affect the mind.

Cross-examined.—I could not detect any symptoms affecting the nerves higher than the eighth pair of nerves. Should say the complaint was gradual induration of the base of the brain. That complaint rarely ascends, but it generally descends along the spine, as it did in his case.

The evidence of Mr. Teggart, taken by a commission, was then read.

Mr. Edward Teggart, jun., partner with his cousin, whose deposition had just been read, deposed, I visited Mr. Hutchinson from the autumn of 1861 to the autumn of 1862. I continued the same treatment as my cousin. I agree with what Dr. Barclay has stated respecting the case. In April and May, 1863, I again visited the testator, and I ceased to attend him when he wrote to me, stating he was going to place himself under the care of Dr. Bell. I should say that he was perfectly competent to transact business from the time I first saw him till I left him.

Cross-examined.—I cannot recall any particular conversations. I dare say that Dr. Faber's name was sometimes mentioned. He did not speak to me about the interest of the Oratory, or about his will, or his sister, or his brother-in-law. We used only to talk about his malady or the topics of the day. His mind did not appear to be excited upon any subject.

Mr. David Lewis, of Arundel.—I formerly lived at Brompton, where I made the acquaintance of Father Hutchinson. I frequently visited him, at intervals, from 1849 till 1861. In the last-named year, I saw him several times a week. In October, 1860, Father Faber was absent, and was staying with the Duke of Norfolk. At that time I saw Mr. Hutchinson every day. He frequently wrote to Father Faber, who showed me the letters. We had conversations and discussions on all kinds of subjects. I used to go to ask news of the Duke's health. The testator's health was not good. I used to sit with him an hour or an hour and a half together. We frequently conversed about the schools which he had established, and about the Oratory library. He was making a catalogue for it in 1861. I have received letters from him in this country. The last related to his book "Loretto and Nazareth." His letters were perfectly coherent and intelligent. I visited him on the 26th of May, 1863. I sat with him on that occasion for two hours. We had a great deal of conversation; and he was of perfectly sound mind.

Cross-examined.—I am myself a Roman Catholic. I never heard of extreme unction being administered to him except just before he died. He never spoke to me about his property or his will; nor did I know that he had made one till the day before his funeral. He took a great deal of interest in the Oratory, but he never told me that he had given it large sums of money, or intended to leave it his property. He was a very earnest, zealous person; but he had the most practical common sense I ever saw. He had a strict sense of his religious duties. We are all bound to be obedient, but I am not aware that his views on that subject were different from other people. In his book on Loretto, there is a passage speaking of the duty of obedience to the Church. (A passage was read in which the deceased, while admitting that a belief in the history of the Holy Church was

not a matter of faith, submitted that to doubt its authenticity would be in effect to declare one's self wiser than the Church, the pontiffs, and the saints.) Should think it impossible that he ever burst into floods of tears while he was conversing. Should say he was a very calm person. The correspondence to which I have alluded referred entirely to the death-bed of the Duke of Norfolk.

By the Judge.—Should say that the testator was a man of strong will, and to some extent obstinate. Should say that he had very little imagination.

The Rev. J. Rowe.—I became acquainted with Mr. Hutchinson at Cambridge, and afterwards I knew him as a member of the Oratory. I was one of the witnesses of the will. I was in his room, and he said, "Oh, I wish you to witness my will." I fetched Mr. Ballard. Mr. Hutchinson executed the instrument, and we attested it. I afterwards took the will to Mr. Gibson, and I took a message to him about the codicil; but I don't recollect what it was. At the time the will was signed Mr. Hutchinson was ill, but he was of perfectly sound mind. He was a man of great ability. He was not likely to be influenced by any one; he was much more likely to influence others. The whole design of the school originated with him. Extreme unction was only administered to people just before their death. Witness was quite sure that it had not been administered to Father Hutchinson in 1860. The report about the model lodging-houses was prepared and composed by Father Hutchinson himself in 1859. It was written in pencil because he was not well, and his hand shook. Witness knew nothing about the will till he was asked to attest it. He did not know in whose handwriting it was. Witness believed when he took the will to Mr. Barrett that he delivered a message from Father Hutchinson, asking him to send the codicil. He might afterwards have told Mr. Smee that he did not know whether there was a will or not. It was no business of his. He did not say that he would introduce him to Mr. Stafford. Witness must have heard if extreme unction had been administered, even if it had taken place at Sydenham, but if Father Hutchinson had said that extreme unction was administered to him in 1860, of course he should believe it. Witness did not know how Father Hutchinson had disposed of his property till after his death. Father Hutchinson used to complain sometimes of pains at the back of his neck.

The Rev. R. Stanton, one of the fathers of the Oratory, said he first knew Father Hutchinson in 1846, and from thence up to the time of his death. Witness was an attesting witness to the codicil in 1860. During the whole time that he knew the testator he was quite capable of making a will. He never heard that extreme unction had been administered to the testator before 1863, and he must have known it, had such been the case. Father Faber and Father Hutchinson were always particularly intimate. Father Faber was not the confessor of Father Hutchinson. The confessor of the community was elected by the members.

The Rev. F. Knox, a member of the Oratory, was on intimate terms with the testator. The Oratory was quite an independent community. Members were always elected by ballot, and they had full power over their own property. Father Hutchinson had spent a considerable sum of money in establishing ragged schools and other charities, and also in instituting the Oratory. He had advanced about 8000*l.*, and upon that money he received interest from the funds of the institution. This was to cease at his death, for he did not wish to receive it back. It was to be looked upon as a gift, but he wished that the interest should be continued to Father Faber, though it was not imperative. The testator was instrumental in supporting the different charities of the community. Witness did not know any thing about the testator's will before he made it. He did not even know that he (witness) was to have been appointed an executor till four weeks before

his death. The testator's mind was perfectly vigorous at the time he made his will, and afterwards. About four weeks before his death, he communicated to witness the particulars of his property. He said that his will was at Mr. Gibson's. He also said there was a reversionary property of about 3000*l.* coming to him on the death of a relative. He said he thought his brother-in-law expected to have something, and his intention was to give him 40*l.*, and in case of his death, witness was to give him that sum. Mr. Smee was present at the funeral. Witness did not observe that there was any drawing about the testator's mouth, and he knew of no difference in his speech till just before his death. He had a long talk with the testator a few days before his death about his books and other things, and he was then, as he always had been, in a perfectly sound state of mind. His reversionary property was under 5000*l.* There were twenty members of the community. Witness was procurator. There was no particular form in which members of the Oratory left their property. Witness considered that Father Faber had great influence over Father Hutchinson. He did not believe that extreme unction had been administered to the testator in 1860. The testator was not of an excitable disposition. He was of a calm and unimpassioned nature.

The Rev. Charles Bowden, a member of the community of the Oratory.—In July, 1856, witness went to Rome with the testator and Mr. Stanton. He had well known Father Hutchinson for some years, and he was fully capable of managing his business. In 1860 witness was appointed infirmarian or nurse to the other members.

Mr. Few, a solicitor, said he first became acquainted with the testator in 1853. He corresponded with him in 1857 and 1859 upon business connected with charities. The testator was perfectly competent to transact any matter of business. He had only seen him once after March, 1859.

Edward Dillon, a bookseller, formerly in the employ of Messrs. Burns and Lambert, had known Mr. Hutchinson for many years as a customer at the shop. He often communicated with him down to April, 1863. The testator was perfectly competent to manage his own affairs.

Mr. Gibson, the solicitor who prepared the testator's will, spoke of his perfect competency to transact business, and to make a disposition of his property.

This was the case on the part of the plaintiff. Dr. Deane then addressed the Court on behalf of the defendant.

The learned gentleman read some letters of the deceased, written in the year 1845, just before he joined the Roman Catholic Church, and contended that he was a person of warm imagination—a person likely to be much affected by the more showy forms of the Latin communion, whether as related to matters of worship, or to the reverence paid to the ministers and the ordinances of religion. His friends made the greatest possible efforts to dissuade him from the step he contemplated, but he nevertheless took it, and soon afterwards became a member of the Oratory. In 1855 he executed his first will, in which he bequeathed all his property to that community, either as trustees, or in the case the Court of Chancery should hold the trusts invalid, then to the superior, or if there was actually no superior at the time of his decease, to the superior next appointed, to his own use absolutely. The same day he executed a codicil, bequeathing his property to the Earl of Arundel and Surrey. It was clear from those two documents that there was something behind them that was not intended to meet the public eye. At that time the testator's affection for Father Faber was as great, probably, as ever it was, and yet the will and codicil of 1855 made no mention of him, whereas the will and codicil before the Court bequeathed nearly every thing to him, appointed



Father Knox executor, and gave him 30*l*. for his trouble. As regarded the plea of non-exception, that was a formal allegation on which a suitor rarely won, but in this case there has been quite enough to justify it, there being an erasure in one of the documents, and the writing being neither Mr. Hutchinson's nor any lawyer's. However, it could not be contended that these instruments had been duly executed. As regarded the issue of capacity, it was remarkable that the failure of Mr. Hutchinson's bodily powers had not forced itself sooner on the attention of the fathers of the Oratory than they stated it had done. Still the evidence of Dr. Teggart was to the effect that in 1858 there was general paralysis of one side, and not a mere paralysis of one side of the tongue. The question, therefore, was whether the testator, whose capacity had been blunted by paralysis, had not been subjected to undue influence—influence which might have been unconscious to the very agents who executed it, seeing that they were themselves under its sway. It was plain that the testator felt in a morbid degree the duty of obedience, and of merging himself in the interests of the order to which he belonged. In the book which he was correcting just before he died, he described the various miraculous transportations of the holy house of Loretto, but evidently feeling some alarm lest other persons should not share in his own faith, he wound up by inculcating the duty of surrendering one's self to the decision of the Church, remarking that any one who doubted the story made himself more intelligent than the great body of the faithful, more sagacious than the saints, much wiser than the supreme pontiffs, more prudent than the sacred congregation of rites. The witnesses had all denied that the deceased had received extreme unction in September, 1860, but he had himself told Mr. Smee that he had done so. Either, therefore, he was under a delusion on the subject, or he was much worse than the fathers of the Oratory supposed, with the exception, of course, of Dr. Faber, who must have administered the rite at Sydenham, if it was administered at all. The following witnesses were then called :—

Mr. Smee, the defendant in the suit, said he had lived with Mr. Hutchinson on the most intimate terms while he was at Cambridge. In December, 1845, witness went to Cambridge, and saw Mr. Hutchinson, to talk about his change of religion. He found he had gone to Birmingham. Witness followed him to that place, and spoke to him, but only for a few minutes. Witness saw him at his own house for about three weeks after his conversion. He stated that belief in implicit obedience to a head teacher was a paramount duty. He said the truth was of more importance in mercantile matters than in religion. It was of less importance than faith, and second to obedience. In March, 1857, witness met the testator in Doland's shop. He said he was going to Syria the next day. He called upon witness before he went, and he had then a difficulty in swallowing, and witness formed that moment a decided opinion that he had mortal organic disease of the brain. The testator wrote letters from Syria of the most interesting description. When he returned from Syria he was decidedly better in general health, but witness could still see there was the disease existing. In February, 1860, witness went up to the Oratory and took him some money which was owing to him in connexion with a family affair. He went all round the establishment with him; he then observed him once to roll, and that was an indication of paralysis. From February to September, 1860, testator had never gone to his house. In September witness went to Sydenham to see Mr. Hutchinson, and watched him get into his carriage, and saw him sit as if in a bunch, which he well knew was a sign of the disease. When witness saw him he was very much excited; he told him he had

had extreme unction. He seemed to be in a stupid state, or like a man intoxicated. His articulation was bad; he saw at once that the disease had progressed. He did not remark any delusion about him, but he was in a stupid state; it seemed rather an impairment of the faculties. Witness saw him again go out in his carriage, and he again sat in the same way. Witness often saw the testator in 1862. There was no difficulty in getting access to him at that time. In 1860 he appeared to have no affection for any one, but he was quite altered after that, and took a kindly interest in every thing. In 1863 witness called upon him; he said he was dying, and said he had had extreme unction. Testator did not seem to recollect what had taken place with regard to his illness in 1860. Witness never spoke to him about the way of leaving his money at any time. Witness went to the Oratory after the death of the testator, and saw Father Rowe, and asked if there was any will. He seemed to evade the question, and afterwards left the room and brought back Father Knox, who said there was a will, and he was appointed executor.

Cross-examined.—Witness attended the funeral of the testator, and he stated that a name was given to the testator in the books of the cemetery which would prevent people from knowing who was dead. The name given was Anthony; his real name was William, not Anthony.

Miss Elizabeth Mary Smee, the daughter of Dr. Smee, recollected seeing Mr. Hutchinson in 1858, after his return from Syria. She observed that he had a difficulty of swallowing, and his voice had not the same tone, but she could understand him perfectly. In September, 1860, she went to Sydenham, to pay Mr. Hutchinson a visit, with her mother. She was struck with his manner; he appeared very feeble, and disinclined to conversation. He said he had been very ill, but it seemed a great trouble to him to talk. She did not think that to a great portion of the conversation he listened at all. Witness saw him several times in 1862, when he seemed to be quite well.

Mr. Erasmus Wilson, surgeon, was acquainted with deceased, and attended him professionally for the first time in 1856. He was then very much debilitated and very hoarse. Speech was very difficult for him. He found that the hoarseness depended upon paralysis of the nerves supplying the tongue and throat. One half of the tongue was smaller than the other half. The paralysis at that time must have been quite recent. He had also constipation, which witness regarded as arising from want of nervous power. The disease got rapidly worse during the next year. Witness advised him to travel. He went to Syria, and when he returned he found that, although stronger in general health, the disease had greatly increased. There might be paralysis without its affecting the brain. He believed that the seat of the disease was at the base of the brain, but whether extending to the brain he could not say. The state described by Miss Smee seemed to be a general prostration of the nervous system. The disease would possibly remit in this sense, that it would not appear so great while his bodily health was improved.

Dr. Bennett, having heard the evidence of Mr. and Miss Smee, was of opinion that Mr. Hutchinson at that time had disease of the nervous system, but he could not tell the state of his mind. He thought the case was one involving disease of the base of the brain, and the tendency of such a disease was to impair the faculties.

Dr. Deane having addressed the Court upon the effect of the evidence,—

His lordship said he should wish to hear any observations upon the question of costs.

Dr. Deane relied upon the state in which the testator was found immediately after the execution of the will and codicil, the alteration of intention expressed by the last will from what the testator had previously entertained when he made his will in 1855, and the inconsistency of the will of 1860 with what he had stated both before and after making it. He considered there was, under these circumstances, a case requiring investigation which justified Mr. Smee in raising an opposition to the will.

The Judge-Ordinary (without calling upon Mr. Karslake for a reply) said the case presented on behalf of the plaintiff was a very strong one, and having heard the evidence for the defence, he felt convinced that no one would doubt that the decision which the Court must arrive at would be in favour of the validity of the will. His lordship much regretted that this litigation should have taken place; at the same time he would do every justice to the motives by which Mr. Smee was actuated. It did not seem to have arisen from a desire to possess himself of his relative's property, but from his sincere regard for him, and for his religious welfare. On the other hand he did not believe that the testator, in acting as he had done, was actuated by any dislike towards his relatives; but he was a man of strong religious feelings. So also was Mr. Smee, and both men having these strong opinions, very naturally took different views. Looking at the letters written in 1856 by this light, they might easily be understood. The issue he had now to try was whether the will and codicil executed by the testator in July and August, 1860, was made while he was of sound mind, and whether there was any undue influence used to induce him to make such a will. The answer on the part of the defence was that the testator had for years been afflicted with a disease which impaired his intellect, and on that question the Court had to look to the positive evidence which appeared to show that the testator could not be otherwise than a person of sound mind. If, as it was proved, the testator had acted upon all occasions in a perfectly rational manner, and showed a clear knowledge of what he was doing, and capacity for understanding business, the evidence of scientific men as to what might possibly have been the tendency of such a disease, could not weigh against it. The medical gentlemen had stated that they could not undertake to say that his mind was affected by the disease. On the other hand there was distinct evidence through the different years from 1858, when he was travelling abroad, that he was not only a man of perfectly sound mind, but a person of great ability. In 1860 his three friends, who had an opportunity of seeing him often, spoke of his capacity to understand business; and as the period approached when the will was executed the evidence was stronger and stronger in confirmation of his soundness of mind. There were also the two letters written on the day of the execution of the will, showing him to have been in his ordinary state of mind. The will was made in July, and the codicil in August, and it was not till September that the testator was seen by Mr. Smee; therefore, even if he had at that time been of unsound mind, it would not invalidate the will which was made two months previously. Moreover, there was the very letter of Mr. Smee himself, written after he had seen him, in which he said that until he saw his (the testator's) letter he should not have supposed he was unwell. The evidence of the medical men was all to the same effect—that is, nervous disease, partial paralysis, beginning probably in the base of the brain, the disease increasing, and finally causing death, but all of them say that such a disease might go on without the brain being affected, and they say that they saw no symptom of unsoundness of intellect. It then appeared that in 1862 the testator was establishing a library, and himself making a catalogue



of the books, and he was correcting the proof sheets of his own book, which he published; and that book, which his lordship had taken an opportunity of reading, although it showed that he was a man of strong faith, and fully believed in such matters as Catholic miracles, which other people might not have such implicit faith in, still it was a book which no one could have written without being in full possession of his intellect. On the other side the evidence totally failed to prove that there was any disease of the brain. Then on the subject of undue influence, a case had been cited in which the Master of the Rolls appeared to have used certain expressions which were no doubt applicable to the facts connected with that case; but the present case was wholly destitute of any facts to which such observations could apply, beyond the dry fact that the testator had left his paper to Father Faber. There was no evidence whatever of undue influence. The will was made in the most proper and natural way through his attorney, and there was a total absence of any fact showing that any person in the Oratory had exercised any influence over him. Under these circumstances he had no doubt whatever as to the validity of the will. As to the costs, the principal guiding of the Court in such matters was that where the objections appeared to be reasonable it had been the habit of this Court to relieve the unsuccessful party raising the objection from the burden of paying the costs. His lordship could well understand the jealousy with which Mr. Smee would look at a will made under such circumstances as this was, but that was no ground for coming to the Court. There must be a reasonable cause of suspicion that the will was made under undue influence. On the contrary, the evidence in this case was overwhelming, and he felt that he could not do justice without pronouncing upon the will, and condemning Mr. Smee in the costs.

## V.

## "ESSAYS AND REVIEWS."

WILLIAMS, *Appellant*, v. THE LORD BISHOP OF SALISBURY, *Respondent*.

WILSON, *Appellant* v. FENDALL, *Respondent*.

(*Judicial Committee of the Privy Council*.)

These were appeals from judgments delivered by Dr. Lushington in the Court of Arches, whereby the defendants (the present appellants) were found to have published and maintained, in a well-known collection of Essays called "Essays and Reviews," certain doctrines and opinions contrary to the teaching of the Church of England. Each of them was condemned to suspension for one year *ab officio et beneficio*, was monished not to offend in like manner for the future, and was condemned in costs.

In the first case the proceedings were instituted against the Rev. Rowland Williams, D.D., Vice-Principal and Professor of Hebrew, St. David's College, Lampeter, Vicar of Broad Chalke, Wiltshire, founded upon certain passages in the Essay entitled "Bunsen's Biblical Researches." In the second, against the Rev. Henry Bristow Wilson, Vicar of Great Staughton, Huntingdonshire, the author of the Essay entitled "Séances Historiques de Genève; the National Church."

The appeals were heard before the Archbishop of Canterbury, the Lord Chancellor, the Archbishop of York, the Bishop of London, Lord Cranworth, Lord

Chelmsford, and Lord Kingsdown. Each of the appellants argued his own case. The Queen's Advocate, Mr. Coleridge, Q.C., and Dr. Swabey, appeared for the respondents.

The Lords of the Committee, before whom the appeals were heard, were present, with the exception of the two Archbishops, at the delivery of the judgment.

The following judgment was read by the Lord Chancellor:—These appeals do not give to this tribunal the power, and therefore it is no part of its duty, to pronounce any opinion on the character, effect, or tendency of the publications known by the name of "Essays and Reviews;" nor are we at liberty to take into consideration, for the purposes of the prosecution, the whole of the Essay of Dr. Williams, or the Essay of Mr. Wilson. A few short extracts only are before us, and our judgment must by law be confined to the matter which is therein contained. If, therefore, the book, or these two Essays, or either of them as a whole, be of a mischievous and baneful tendency, as weakening the foundations of Christian belief and likely to cause many to offend, they will retain that character, and be liable to that condemnation, notwithstanding this our judgment. These prosecutions are in the nature of criminal proceedings, and it is necessary that there should be precision and distinctness in the accusation. The articles of charge must distinctly state the opinions which the clerk has advisedly maintained, and set forth the passages in which these opinions are stated; and further, the articles must specify the doctrines of the Church which such opinions or teaching of the clerk are alleged to contravene, and the particular Articles of Religion or portions of the Formularies which contain such doctrines. The accuser is, for the purpose of the charge, confined to the passages which are included and set out in the articles as the matter of the accusation; but it is competent to the accused party to explain from the rest of his work the sense or meaning of any passage or word that is challenged by the accuser. With respect to the legal tests of doctrine in the Church of England, by the application of which we are to try the soundness or unsoundness of the passages libelled, we agree with the learned judge in the Court below that the judgment in the Gorham case is conclusive:—

"This Court has no jurisdiction or authority to settle matters of faith, or to determine what ought in any particular to be the doctrine of the Church of England. Its duty extends only to the consideration of that which is by law established to be the doctrine of the Church of England, upon the true and legal construction of her Articles and Formularies."

By the rule thus enunciated it is our duty to abide. Our province is, on the one hand, to ascertain the true construction of those Articles of Religion and Formularies referred to in each charge, according to the legal rules for the interpretation of statutes and written instruments; and, on the other hand, to ascertain the plain grammatical meaning of the passages which are charged as being contrary to or inconsistent with the doctrine of the Church, ascertained in the manner we have described. It is obvious that there may be matters of doctrine on which the Church has not given any definite rule or standard of faith or opinion; there may be matters of religious belief on which the requisition of the Church may be less than Scripture may seem to warrant; there may be very many matters of religious speculation and inquiry on which the Church may have refrained from pronouncing any opinion at all. On matters on which the Church has prescribed no rule, there is so far freedom of opinion that they may be discussed without penal consequences. Nor in a proceeding like the present are we at liberty to ascribe to the Church any rule or teaching which we do not find expressly and distinctly stated, or which is not plainly involved in or to be collected from that which is written.

With respect to the construction of the passages extracted from the Essays of the accused parties, the meaning to be ascribed to them must be that which the words bear, according to the ordinary grammatical meaning of language. That only is matter of accusation which is advisedly taught or maintained by a clergyman in opposition to the doctrine of the Church. The writer cannot in a proceeding such as the present be held responsible for more than the conclusions which are directly involved in the assertion he has made. With these general remarks we proceed to consider, in the first place, the charges against Dr. Williams. All the charges against Dr. Williams were rejected by the learned judge in the Court below, or given up at the hearing before us, except the charges contained in the 7th and 15th articles. The 7th article, as reformed, sets forth certain passages extracted from pages 60 and 61, and from pages 77 and 78, of the volume containing Dr. Williams's Essay, and charges that in the passages so extracted Dr. Williams has advisedly maintained and affirmed that the Bible or Holy Scripture is an expression of devout reason and the written voice of the congregation—not the Word of God, nor containing any special revelation of His truth or of His dealings with mankind, nor the rules of our faith. Dr. Williams has nowhere in terms asserted that Holy Scripture is not the Word of God; and the accusation, therefore, must mean that by calling the Bible "an expression of devout reason, and therefore to be read with reason in freedom," and stating that it is the "written voice of the congregation," Dr. Williams must be taken to affirm that it is not the Word of God. Before we examine the meaning of these expressions, it is right to observe what Dr. Williams has said on the subject of Holy Scriptures, in the second of the passages included in this charge. Dr. Williams there refers to the teaching of the Church, in her Ordination Service, as to the abiding influence of "the Eternal Spirit," and then uses these words: "If such a Spirit did not dwell in the Church the Bible would not be inspired;" and again, "The sacred writers acknowledge themselves men of like passions with ourselves, and we are promised illumination from the Spirit that dwelt in them." Dr. Williams may not unreasonably contend that the just result of these passages would be thus given:—"The Bible was inspired by the Holy Spirit that has ever dwelt, and still dwells in the Church, which dwelt also in the sacred writers of Holy Scripture, and which will aid and illuminate the minds of those who read Holy Scripture, trusting to receive the guidance and assistance of that Spirit." The words that the Bible is "an expression of devout reason and therefore to be read with reason in freedom," are treated in the charge as equivalent to these words: "The Bible is the composition or work of devout or pious men, and nothing more;" but such a meaning ought not to be ascribed to the words of a writer who, a few lines further on, has plainly affirmed that the Holy Spirit dwelt in the sacred writers of the Bible. This context enables us to say that the words "an expression of devout reason, and therefore to be read with reason in freedom," ought not to be taken in the sense ascribed to them by the accusation. In like manner we deem it unnecessary to put any interpretation on the words "written voice of the congregation," inasmuch as we are satisfied that, whatever may be the meaning of the passages included in this article, they do not, taken collectively, warrant the charge which has been made that Dr. Williams has maintained the Bible not to be the Word of God nor the rule of faith. We pass on to the remaining charge against Dr. Williams, which is contained in the 15th article of charge. The words of Dr. Williams, which are included in this charge, are part of a supposed defence of Baron Bunsen against the accusation of not being a Christian. It would be



a severe thing to treat language used by an imaginary advocate as advised speaking or teaching by Dr. Williams. Against such a general charge as that of not being a Christian, topics of defence may be properly urged, although not in conformity with the doctrines of the Church of England. But, even if Dr. Williams be taken to approve the arguments which he uses for this supposed defence, it would, we think, be unjust to him to take his words as a full statement of his own belief or teaching on the subject of justification. The 11th Article of Religion, which Dr. Williams is accused of contravening, states, "We are accounted righteous before God only for the merits of our Lord and Saviour Jesus Christ by faith, and not for our own works or deservings." The Article is wholly silent as to the merits of Jesus Christ being transferred to us. It asserts only that we are justified for the merits of our Saviour by faith, and by faith alone. We cannot say, therefore, that it is penal in a clergyman to speak of merit by transfer as a fiction, however unseemly that word may be when used in connexion with such a subject. It is fair, however, to Dr. Williams to observe that in the argument at the Bar he repudiated the interpretation which had been put on these words, that "the doctrine of merit by transfer is a fiction," and he explained fiction as intended by him to describe the phantasy in the mind of an individual that he has received or enjoyed merit by transfer. Upon the whole, we cannot accept the interpretation charged by the promoter as the true meaning of the passages included in this 15th article of charge, nor can we consider those passages as warranting the specific charge, which, in effect, is that Dr. Williams asserts that justification by faith means only the peace of mind or sense of Divine approval which comes of trust in a righteous God. This is not the assertion of Dr. Williams. We are therefore of opinion that the judgment against Dr. Williams must be reversed. We proceed to consider the charges against Mr. Wilson. These have been reduced to the 8th and 14th articles of charge. The other articles of charge were either rejected by the Court below, or have been abandoned at the hearing before this tribunal. In the 8th article of charge an extract of some length is made from Mr. Wilson's Essay, and the accusation is that in the passage extracted Mr. Wilson has declared and affirmed, in effect, that the Scriptures of the Old and New Testament were not written under the inspiration of the Holy Spirit, and that they were not necessarily at all, and certainly not in parts, the Word of God; and then reference is made to the 6th and 20th Articles of Religion, to part of the Nicene Creed, and to a passage in the Ordination of Priests in the Book of Common Prayer. This charge, therefore, involves the proposition, "That it is a contradiction of the doctrine laid down in the 6th and 20th Articles of Religion, in the Nicene Creed, and in the Ordination Service of Priests, to affirm that any part of the canonical Books of the Old or New Testament, upon any subject whatever, however unconnected with religious faith or moral duty, was not written under the inspiration of the Holy Spirit." The proposition or assertion that every part of the Scriptures was written under the inspiration of the Holy Spirit is not to be found either in the Articles or in any of the Formularies of the Church. But in the 6th Article it is said that Holy Scripture containeth all things necessary to salvation, and the books of the Old and New Testament are therein termed canonical. In the 20th Article the Scriptures are referred to as "God's Word written;" in the Ordination Service, when the Bible is given by the Bishop to the Priest, it is put into his hands with these words, "Take thou authority to preach the Word of God;" and in the Nicene Creed are the words, "the Holy Ghost who spake by the prophets." We are confined by the article of charge to the con-

sideration of these materials, and the question is whether in them the Church has affirmed that every part of every book of Scripture was written under the inspiration of the Holy Spirit, and is the Word of God. Certainly this doctrine is not involved in the statement of the 6th Article, that Holy Scripture containeth all things necessary to salvation. But inasmuch as it doth so from the revelations of the Holy Spirit, the Bible may well be denominated "Holy" and said to be "the Word of God," "God's Word written," or "Holy Writ;" terms which cannot be affirmed to be clearly predicated of every statement and representation contained in every part of the Old and New Testament. The framers of the Articles have not used the word "inspiration" as applied to the Holy Scriptures; nor have they laid down any thing as to the nature, extent, or limits of that operation of the Holy Spirit. The caution of the framers of our Articles forbids our treating their language as implying more than is expressed, nor are we warranted in ascribing to them conclusions expressed in new forms of words involving minute and subtle matters of controversy. After an anxious consideration of the subject, we find ourselves unable to say that the passages extracted from Mr. Wilson's Essay, and which form the subject of this article of charge, are contradicted by or plainly inconsistent with the Articles or Formularies to which the charge refers, and which alone we are at liberty to consider. We proceed to the remaining charge against Mr. Wilson—namely, that contained in the 14th article. The charge is, that in the portion of his Essay which is set out in this article, Mr. Wilson has advisedly declared and affirmed, in effect, that after this life and at the end of the existing order of things on this earth, there will be no judgment of God, awarding to those men whom He shall then approve everlasting life or eternal happiness, and to those men whom He shall then condemn everlasting death or eternal misery; and this position is affirmed to be contrary to the three Creeds, the Absolution, the Catechism, and the Burial and Communion Services. In the first place we find nothing in the passages extracted which in any respect questions or denies that at the end of the world there will be a judgment of God, awarding to those men whom He shall approve everlasting life or eternal happiness; but with respect to a judgment of eternal misery, a hope is encouraged by Mr. Wilson that this may not be the purpose of God. We think that it is not competent to a clergyman of the Church of England to teach or suggest that a hope may be entertained of a state of things contrary to what the Church expressly teaches or declares will be the case; but the charge is, that Mr. Wilson advisedly declares that after this life there will be no judgment of God, awarding either eternal happiness or eternal misery,—an accusation which is not warranted by the passage extracted. Mr. Wilson expresses a hope that at the day of judgment those men who are not admitted to happiness may be so dealt with as that "the perverted may be restored," and all, "both small and great may ultimately find a refuge in the bosom of the Universal Parent." The hope that the punishment of the wicked may not endure to all eternity is certainly not at variance with any thing that is found in the Apostles' Creed, or the Nicene Creed, or in the Absolution which forms part of the Morning and Evening Prayer, or in the Burial Service. In the Catechism the child is taught that in repeating the Lord's Prayer he prays unto God "that He will keep us from all sin and wickedness, and from our ghostly enemy, and from everlasting death;" but this exposition of the Lord's Prayer cannot be taken as necessarily declaring any thing touching the eternity of punishment after the resurrection. There remain the Communion Service and the Athanasian Creed. The material passage in the Communion Service is in these words:—"O terrible voice of

most just judgment which shall be pronounced upon them, when it shall be said unto them, Go, ye cursed, into the fire everlasting which is prepared for the devil and his angels." In like manner the Athanasian Creed declares that they that have done evil shall go into everlasting fire. Of the meaning of these words "everlasting fire" no interpretation is given in the Formularies which are referred to in the charge. Mr. Wilson has urged in his defence that the word "everlasting" in the English translation of the New Testament, and of the Creed of St. Athanasius, must be subject to the same limited interpretation which some learned men have given to the original words which are translated by the English word "everlasting," and he has also appealed to the liberty of opinion which has always existed without restraint among very eminent English divines upon this subject. It is material to observe that in the Articles of King Edward VI., framed in 1552, the 42nd Article was in the following words:—"All men shall not be saved at the length."—Thei also are worthie of condemnation who indevoure at this time to restore the dangerouse opinion that al menne, be thei never so ungodlie, shall at lengtht bee saved, when thei have suffered paines for their sinnes a certain time appointed by God's justice." This Article was omitted from the Thirty-nine Articles of Religion of the year 1562, and it might be said that the effect of sustaining the judgment of the Court below on this charge would be to restore the Article so withdrawn. We are not required, or at liberty, to express any opinion upon the mysterious question of the eternity of final punishment, further than to say that we do not find in the Formularies to which this article refers any such distinct declaration of our Church upon the subject as to require us to condemn as penal the expression of hope by a clergyman that even the ultimate pardon of the wicked who are condemned in the day of judgment may be consistent with the will of Almighty God. We desire to repeat that the meagre and disjointed extracts which have been allowed to remain in the reformed articles are alone the subject of our judgment. On the design and general tendency of the book called "Essays and Reviews," and on the effect or aim of the whole Essay of Dr. Williams, or the whole Essay of Mr. Wilson, we neither can nor do pronounce any opinion. On the short extracts before us, our judgment is that the charges are not proved. Their lordships, therefore, will humbly recommend to Her Majesty that the sentences be reversed, and the reformed articles rejected in like manner as the rest of the original articles were rejected in the Court below—namely, without costs; but inasmuch as the appellants have been obliged to come to this Court, their lordships think it right that they should have the costs of this appeal.

At the conclusion of the judgment the Lord Chancellor said,—I am desired by the Archbishop of Canterbury and the Archbishop of York to state that they do not concur in those parts of this judgment which relate to the 7th article of charge against Dr. Williams, and to the 8th article of charge against Mr. Wilson.



## VI.

THE TRIAL OF FRANZ MÜLLER FOR THE MURDER  
OF MR. BRIGGS.

The circumstances attending the assassination of Mr. Briggs on the North London Railway upon the 9th of July, the proceedings taken for the apprehension of the suspected murderer Müller, the pursuit of him across the Atlantic, his capture in New York, and delivery to the officers sent over from England to apprehend him; his return to England in custody, and his committal for trial, have been fully related in the order of their dates in the "Chronicle" of the present volume. The sequel of the trial will also be found in the same part of the work. It now remains to record the proceedings of the trial itself, an investigation which excited a higher degree of interest and more universal attention than almost any judicial inquiry of late years. The judges who presided on this occasion were the Lord Chief Baron (Pollock) and Mr. Baron Martin. The Solicitor-General (Sir R. P. Collier), Mr. Sergeant Ballantine, Mr. Hannen, Mr. Giffard, and Mr. Beasley were the counsel for the prosecution. The prisoner was defended by Mr. Sergeant Parry, Mr. Metcalfe, and Mr. Besley. The prisoner pleaded "Not Guilty," and declined to avail himself of his privilege of claiming a mixed jury, electing to be tried by a jury of twelve Englishmen.

The case for the prosecution was ably and temperately stated by the Solicitor-General, who explained to the jury the nature of the evidence, principally circumstantial, on which the Crown would rely, concluding his address in these terms:—"Undoubtedly the evidence in this case is what is called circumstantial evidence, but I would remind you that it is circumstantial evidence by which great crimes are most frequently detected. Murders are not committed in the presence of witnesses; and to require direct evidence of a murder would be to publish impunity to murderers. Direct testimony of personal identity is very liable to error, but there is a description of evidence which I may be allowed to call the evidence of facts, which cannot be false and cannot be mistaken. The main features of this case may really be summed up in a sentence—Mr. Briggs is robbed and murdered in a railway carriage; the murderer takes his watch, his chain, and his hat, and leaves his own hat; all the articles taken from the murdered man are found upon Müller, and he gives a false account of each of them. I venture to think that if these circumstances are proved, a stronger case of circumstantial evidence has rarely, if ever, been submitted to a jury. If, indeed, after hearing the whole case, you should entertain any reasonable doubt of his guilt, of course you will acquit him; but if, on the other hand, the evidence—I will not say amounts to actual demonstration, for actual demonstration is a species of proof not applicable to cases of this description—but leaves in your mind a firm and abiding conviction of the prisoner's guilt, I am sure you will not hesitate to discharge that duty which is cast upon you by your oaths."

The following witnesses were then called:—

Mr. David Buchan, examined by Mr. Sergeant Ballantine.—I reside in Nelson-square, Peckham, and I am a nephew of the late Mr. Briggs. Mr. Briggs was about sixty-nine years of age. On Saturday, the 9th of July last, I saw him at

five o'clock. He dined with me at my house on that day. When he came he brought something with him. He had a black bag and a stick. He left about half-past eight. I accompanied him from my house to the Lord Nelson, in the Old Kent-road, and saw him into the omnibus. He would get out at King William-street for the purpose of going to the Fenchurch-street station. When I parted with him he was in his full health and spirits. He wore a watch and chain, the chain being attached to a button-hole in the waistcoat. There was a small seal attached to the watch and two keys. In consequence of information I received I went next morning to his house. On the previous evening I noticed that he had a watch, as he referred to it before he left my house. When I went to his house on the Sunday morning he was still alive. That was between ten and eleven, but he was still insensible, and he remained so till he died. I left before he died.

Cross-examined by Mr. Sergeant Parry.—I walked with Mr. Briggs to the Lord Nelson, in the Old Kent-road. The omnibus starts from that place.—Were you aware of any threats being held out by any one against Mr. Briggs? Not to my knowledge.—Have you heard your wife say so? I have heard her say so.

Mrs. Buchan corroborated the evidence of her husband as to Mr. Briggs having dined at her house on the day of the murder.

Cross-examined.—I have heard of threats having been used against Mr. Briggs. I heard it through a third person. I understood the threats were from a person to whom Mr. Briggs had refused to lend money.

Thomas Fishbourne.—I am ticket-collector at the Fenchurch-street station, and mark the tickets of persons going by the North London Railway. For that purpose I stand at the bottom of the steps leading to the platform. I knew the late Mr. Briggs by sight. He was in the habit of travelling by the North London Railway. I saw him on the night of the 9th of July. He presented his ticket to me in the ordinary way at a quarter to ten o'clock at night. I heard of his death about twelve o'clock the next day, and went to his house and recognized him.

Harry Vernez.—I am a clerk in the employment of Messrs. Robarts, Curtis, and Co. On Saturday, the 9th of July, I went to the Hackney station of the North London Railway about ten o'clock in the evening. I was in company with Mr. Jones, who is a clerk in the same employment. Took a first-class ticket for Highbury. On the arrival of the train from Fenchurch-street I went to a first-class carriage. I opened the door of the carriage; it was empty, and I and Mr. Jones got in. I sat on the right-hand side, with my face to the engine, about the centre of the carriage. Before the train started Mr. Jones called my attention to some blood on his hand. I immediately called the guard, who brought a light. We all got out. Two other persons had got into the carriage. The guard came with a light, and found a hat, a stick, and a black bag. The guard locked up the carriage, leaving those articles in it, and I got into another carriage.

Sidney Jones, also a clerk in the bank of Robarts, Curtis, and Co., said,—I went with the last witness to the Hackney station on the night of the 9th of July, intending to go to Highbury. I got with him into a first-class carriage. On entering the carriage I saw a black bag on the left-hand side of the seat nearest the door. I took the opposite seat.

Benjamin Ames.—I am a guard on the North London Railway, and was guard on the train which left Fenchurch-street station at 9.50. It was five minutes late, and in consequence the tickets were not examined before we started. On arriving at the Hackney station my attention was called to one of the first-class carriages (No. 69). I got my hand-lamp and examined it. There was blood on the cushion of the seat nearest the engine, and also on the quarter-lights. I looked

under the seat and found a hat, a stick, and a black bag. It was buttoned up and bloody. The hat produced is like the hat. There was no one in the carriage when I found these things. I locked the carriage up and it was forwarded to Chalk Farm station. It was there examined by Mr. Greenwood, and was taken to the Bow station, where it has remained ever since. Mr. Greenwood took charge of the hat, bag, and stick.

Cross-examined.—There was not a great deal of blood, but there were spots; there was the appearance of a hand having been wiped. The largest pool of blood was about the size of a sixpence. There were two or three. It was in a liquid state. I cannot give you the time we arrived at Hackney, but I can tell you when we left. We left Fenchurch-street at 9.50, and Hackney at 10.15. We left the Bow station at one minute past ten. I did not see Mr. Briggs at the Bow station. That night we were three minutes or three minutes and a half in going from the Bow station to Hackney Wick.

Re-examined.—There was also blood on the cushion of the off side, and also on the floor.

William King.—I am a guard on the North London Railway. I brought up a train of fifteen carriages from the Hackney Wick station on the 9th of July. We have to go over a canal bridge between Hackney Wick and Bow. As we were passing over the bridge my attention was called by the driver to something on the line. I pulled up the train, and on going to the spot I found the body of a gentleman between the up and down lines. He was lying on his back, with his head towards Hackney. I assisted in taking him up and conveying him to a public-house opposite. He was alive.

Alfred Agan, the engine-driver of the train of which the last witness was guard, corroborated his evidence as to finding the body, and stated that the train left Hackney Wick at twenty minutes past ten. The body was found about half-way between the Hackney Wick and Bow stations.

Cross-examined.—Where the body was found the rails run on an embankment about eight or nine yards high.

Policeman Edward Duggan.—I was on duty in Birch-lane, Bow, about twenty minutes past ten on the 9th of July. In consequence of the noise I heard I went up the embankment and on the line. I saw several persons carrying a gentleman. I assisted to take him into the Mitford Castle public-house. I searched him, and found in his left-hand trowsers pocket four sovereigns and some keys, and the half of a first-class railway ticket. In his right-hand trowsers pocket I found 10s. 6d. in silver and copper, and some more keys; also a silver snuff-box, and letters and papers, and on one of his fingers I found a diamond ring. There was a gold fastening to his waistcoat. I could not undo it. His shirt was crumpled, and there was a black spot on it. I have measured the distance from Bow station to the spot where the body was found—it is 1434 yards, and from the Hackney Wick station 740 yards.

Francis Toulmin.—I am a medical practitioner, and member of the Royal College of Surgeons. I knew the deceased, and was in the habit of attending him. He was about seventy years of age. Some time before he was murdered he had an attack of erysipelas, but had recovered. I was sent for on the morning of the 10th of July, between two and three o'clock, to attend him; he was groaning and unconscious. Nothing whatever could be done. He died at a quarter before twelve at night. I made a *post-mortem* examination on the Tuesday following, in the presence of other medical men. The cartilage of the left ear was severed by a jagged wound. About an inch anterior to that wound was a deeper wound. Over



the temporal muscle was a contused wound; and there were as many as four incised wounds. There was one near the crown. The others were about three-quarters of an inch, having a direction from the front to behind. Upon the removal of the scalp the skull was found to be extensively fractured. The fissures extended in various directions. In the centre a portion of the skull, an inch in breadth, was separated entirely. There was an effusion of blood between the scalp and the skull. I cannot account for the wounds on the top of the head except they were inflicted with a blunt instrument used with considerable force. The wounds at the back of the ear I believe also to have been caused by a blunt instrument. There was no wound about the head which could be attributed to a sharp instrument.

Cross-examined.—There were five or six wounds altogether. The contused wound on the temple might have arisen from a fall. The incised wound on the crown was three inches long by half an inch in breadth, or not quite so much. Mr. Briggs's height was about five feet eight inches, and I should say he weighed between eleven and twelve stone. I should say not more than twelve stone.

Mr. Breardon, surgeon, living in the Bow-road, stated that he was the first surgeon called in. He found Mr. Briggs in a lower room of the inn on a table; had him removed to an upper room. He had a jagged wound across the left ear; in the front of the same ear there was another jagged wound. Above the same ear there was also a swelling, and there were two deep wounds on the top of the head. At the time he thought the wounds on the side of the head were to be attributed to a fall, and those on the top of the head to blows from some blunt instrument. Was with him all night till last witness came. At six in the morning he examined the carriage at Chalk Farm station. He saw blood on the near side of the panel of the door, on the iron step, and on the wooden platform or step, and on the wheel of the carriage. He found a link of a chain on the seat of the carriage.

Mr. Cooper, surgeon, who was also called in to see Mr. Briggs, likewise described the nature of the wounds at the top of the head, and said he thought the wounds at the top of the head were caused by a blunt instrument, and that the wound by the ear was caused by a stone when he fell out of the carriage.

George Greenwood, station-master of the Chalk Farm station of the North London Railway, stated that on Saturday night, the 9th of July, his attention was called to a first-class carriage at the Chalk Farm station. He took a bag, a hat, and a walking-stick from the carriage. They were the same as were now produced. The lining of the hat was torn.

Police-constable Lewis Lambert proved receiving the hat, stick, and bag from the last witness on the afternoon of the 10th of July. He took them to Mr. Briggs's house in Clapton-square, where they owned the stick and bag, but not the hat. He handed the articles over to Inspector Kerrissey.

Mr. Briggs, jun., said he could not own the hat, and that he knew nothing of it.

Walter Kerrissey, Inspector of the K division of police, produced the hat, bag, and stick which he received from the witness Lambert. On the 11th of July he handed over the hat to Inspector Tanner. On the morning of the 10th of July he went to the Bow Railway station about ten o'clock. Saw a railway carriage, No. 69. The handle of the off side of the carriage was bloody; he meant the off side supposing the carriage was going in the direction of Hackney. Also found

blood in the inside, on the cushion, on the front part of the carriage, and likewise on the near window; a little blood on the off window, a little on the off foot-board outside, on the step, and on the panel of the carriage outside. He afterwards went to Mr. Briggs's house, in Clapton-square. Arrived there about eleven o'clock. Mr. Briggs was then alive but insensible. He observed on his waistcoat a hook fastened on the third button-hole. He now produced it. Mr. Thomas Briggs gave it to him on the Tuesday; he saw him take it off the waistcoat. He also produced a ring he received from Police-sergeant Prescott. It was a ring of a kind commonly called a jump ring. He also produced a gold chain, with seal and two keys attached to it, which he had received from Mr. Death.

Cross-examined.—I had directions from Sir Richard Mayne to go to New York on the 22nd of July. Up to that time I had been making inquiries respecting this case. I know a person named Thomas Lee. He was not examined before the coroner in my presence. The first reward was offered, I think, about the 11th of July; it was 200*l.*; 100*l.* by the Government, and 100*l.* by the bank. Afterwards the North London Railway Company offered another 100*l.* I cannot say how soon after; less than a week. The fact of the rewards being offered was placarded. The handle of the door was bloody. There was no blood on Mr. Briggs's hand.

Dr. Letheby deposed that he had made an examination of the railway carriage No. 69, and of the articles handed to him, which were stated to have been found in it. He examined the carriage on the 26th of July. He found blood on one of the cushions. It had all the characteristics of human blood. It was in the centre of the cushion, and the cushion was on the left-hand side of the carriage. There was also blood on the glass on the left-hand side of the carriage immediately over the cushion. It was blood that was living when it was placed there, and it contained particles of brain matter. It was in the shape of two large spots, and appeared to have been splashed by a blow upon a surface containing a little blood. The splashes were almost the size of a sixpence. If a person had been sitting at one side of the carriage, and struck on the head, that effect would have been produced. On the opposite cushion there were about thirty drops of blood, small. There were two drops of blood on the next cushion, on the same side, and a spot also on the other. There was blood on all the four cushions. I examined the door and the handle. There were spots of blood outside the door and on the wheel. I examined the stick which has been produced to me. There was blood on it to about six inches from the top. It was a thin layer, and on a large surface, but in quantity it was not much.

Cross-examined.—I used chemical tests, and I used the microscope. The microscope is the surest test.

John Death.—I am a jeweller, at 55, Cheapside. I first saw the prisoner at the bar on Monday, the 11th of July. He came into my shop just before ten o'clock in the morning. I was called into the shop by my brother, who handed me a chain, and said the customer wished to part with that in exchange. My brother asked me to value it. The chain produced is the chain. I examined the chain closely with a magnifying glass. I weighed it, and said it was worth 3*l.* 10*s.* He finally accepted that, and said, "I want one at the same cost." I selected a chain at 3*l.* 15*s.* He made some objection to that chain, and he then said he would take it if I would give it to him at the same price. That I said I could not do, and I then looked in my stock and selected one at 3*l.* 5*s.*; I showed him it, and he promptly accepted that chain. I asked my brother for a box, and I put it in the box and made a parcel for it. After a moment's pause I said, "What

will you take for the other 5s.?" and he said, "A ring." I showed him one, and he took it. The box produced is of the same kind as that I put the chain in. I sent a letter the same afternoon to the police, and subsequently accompanied Inspector Kerrissey to New York.

Cross-examined.—The prisoner saw me weighing a chain. Only a show-case parted us. I had never seen the prisoner in the shop to my knowledge.

Mrs. Blythe.—I am the wife of George Blythe, and reside at 16, Park-terrace, Old Ford-road. I know the prisoner at the bar. He lodged with us for about seven weeks. Those seven weeks ended on the 14th of July. He occupied the first-floor back, and took his meals with us. His occupation was that of a tailor. He was in the habit of leaving our house at half-past seven. I remember the morning of Saturday, the 9th of July. I saw the prisoner that morning. He went out that morning, and I had no reason to expect him home at any particular hour. I sat up till eleven o'clock. He had not then come home.—Had you any reason for sitting up for him? No.—Had he a latch-key? Yes.—Did you hear him come in? No.—Did your husband go to bed at that time also? Yes.—What time the next morning did you see the prisoner? Between eight and nine. He breakfasted with us.—Did he stop at home that day? Yes.—In the evening did he go out with you and your husband? Yes.—And came back? Yes.—He spent the day with you on Sunday? Yes.—On Monday morning at what time did you see him? In the morning. He breakfasted with us, and left the house about eight o'clock.—At what time did you see him again that day? Between eight and nine in the evening.—Had you any conversation with him on the Monday evening? Not any thing particular.—Did he spend any time in your house with you? Yes.—Did he show you any thing? A gold Albert chain.—Is that the chain he showed you [producing a chain]? It was similar to that.—Did he say any thing about the chain? No.—Did he remain any time with you after that? Till Thursday morning.—When he came to live with you did he bring any thing with him? A hat-box. That is the hat-box; the name is Walker, and the address is on it.—Did you find that hat-box in the prisoner's room after he left? Yes.—And did you deliver it to one of the police-constables? Yes.

Cross-examined.—He passed the Sunday as usual, and there was nothing particularly different in his manner on that day. Though he lodged with us only seven weeks I have known him twelve months. We have always known him as a quiet, well-behaved, inoffensive young man. He always took his meals with us.—Did the prisoner wear the same dress on the Sunday that he wore on Saturday? Yes.—Did he wear the same dress on Monday when he went out that he wore on the Saturday and Sunday? I cannot recollect whether he wore his light or dark trowsers.—Did he wear the same coat? Yes.—You have seen it; it is in the possession of Tanner? Yes. I don't know in whose possession it is.—A coat has been produced which you recognize as the one he wore? Yes.—Is that the coat he had on on Saturday, Sunday, and Monday? I believe so.—You are not sure as to the trowsers? No.—Are you sure of the trowsers on the Sunday? Yes.—They were the same as he wore on Saturday? Yes.—Are you aware the prisoner was lame? Yes.—Which foot was it he was lame of? I believe the left foot.—Did he wear a slipper on Saturday? Yes.—Have you given it to the police? Yes. (The slipper was produced, and identified as being the one he wore.)—That is the right foot, is it not? Yes.—Your impression is that it was the left foot? Yes.—Whether left or right, are you quite sure he was lame, and went out with a slipper on? Yes.—Did you give that slipper up to Mr. Tanner? To Mr. Superintendent Tiddy. That is the slipper that was left at my



house. He had been lame from the Thursday.—I believe you knew pretty well about all the affairs of this young man. He was confidential with you, was he not? Yes. I did not know whether he was going on Monday to the docks. I knew of his intention to go to America a fortnight previous to the 14th of July.—When he left did he tell you in what vessel he was going? Yes, the “Victoria.”—Did he give you any address in New York? No.—You knew he was going to New York? Yes.—We produce a letter from the pilot. Is that the letter you received from him? Yes.—Have you the envelope there?

Mr. Avery (the clerk).—The envelope is addressed to Mr. Blythe, 16, Park-terrace, Old Ford-road, London. The letter is dated, “On the sea, July 16, in the morning.” It then proceeds:—“Dear friends, I am glad to confess I cannot have a better chance than I have. If the sun shines nice and the wind blows fair, as it is at the present moment, every thing will go well. I cannot write any more; only I have no postage. You will be so kind to take the letter in.”

Sergeant Parry.—Where was the letter posted?

Mr. Avery.—It has the postmark Worthing, July 16, and the London postmark, July 16.

Sergeant Parry, to witness.—Do you know the prisoner’s age? Twenty-three or twenty-four.—Did you wash for him? Not till the last week.—What did you wash for him the last week? Six new shirts.

Re-examined by the Solicitor-General.—I was walking with him from six to nine o’clock on the Sunday morning.

Mr. Baron Martin.—Was it a pair of slippers that he wore? Yes.—He went out with one of them? Yes, the one he wore on his bad foot.—Was it from six to nine or seven to nine you walked out on Sunday? From six to nine.

George Blythe, sworn, examined by Mr. Giffard.—I knew the prisoner, who lodged at my house, and usually we went from home together, sometimes at half-past seven, and sometimes at a quarter to eight.—Did you leave home together from the 7th to the 14th of July? No; I left him at home every morning, and went to town at my ordinary time.—We have heard that on Sunday, the 10th, he took a walk with you and your wife to Victoria Park?—Yes; to Victoria Park.—Did he come back with you? Yes.—On the Monday evening did you see the prisoner when he came back from town? No; he came home after me.—Did he and a man named Haffa come in together? Yes.—Did you notice the chain he had? I noticed that he had a new chain.—Had you noticed whether he had been wearing a chain for some time before? No; he had not.—But before that, two or three weeks previously, had you seen him wearing a chain? Yes.—Is that, the chain that he used to wear on the previous two or three weeks, the same chain he wore on Monday evening, or a different one? A different one.

Cross-examined.—He wore a slipper on the Sunday morning.—Were you walking all the time when you went to Victoria Park, or did you sit down in the park? We were walking all the time.—You saw him on the Saturday and Sunday. Was his dress the same or different? It was the same.—Did you see him on Monday? No; I went to my work.—Do you know this coat? This is like the one he wore.—What character did he bear? That of a quiet inoffensive young man.—And of a humane disposition? Yes. When he left he told me he was going by the “Victoria” to New York, and that the vessel was lying in the London Docks. He told me he was going to America a fortnight before he went. It was publicly known to his friends that he was going.

Mrs. Repsch, sworn, examined by the Solicitor-General.—You are the wife of

Mr. Repsch, a tailor? Yes.—Are you English?—English, born of German parents.—When did you first know the prisoner? Nearly two years ago.—He worked as a tailor for Mr. Hodgkinson, did he not? Yes, to the end of July.—And after that time was he in any employment? No.—Did he come to your house from time to time? Yes.—Were you intimate? On friendly terms.—Do you recollect whether he had a watch and chain of his own? Yes.—When was it you saw the watch and chain last on him? I don't recollect when he had it. I believe he had it when he was working for Mr. Hodgkinson. He told me afterwards that he had pledged the watch and chain. I believe that they were pledged separately, and he had not got them out by the 9th of July.—Was Müller at your house that Saturday? Yes, from eleven or twelve till evening.—And how long did he remain? Till about seven o'clock. He wore a slipper that day, but I don't recollect whether he came in it. He was in the habit of taking off his boots and wearing slippers.—Do you recollect whether he left with a slipper on? I did not see him leave. There was a left slipper remaining after he left, not the right slipper. I saw the boots where he changed them and put on his slippers. When he left both the boots had gone. He had taken both boots and one slipper.—Do you recollect his changing his clothes? Yes; he had green and black trowsers that day, and he changed them for an older working pair. He changed again when he left the house, and left behind him the working pair.—When did you see him next? On Monday morning, between ten and eleven. When he returned on Monday morning had he the same pair of trowsers? He had a light pair on.—Had he a pair of dark ones on when he left? Yes. On Monday morning he came in both boots.—Did he show you a chain that morning? He did.—You had better look at chain No. 2 [produced]. Is that the description of chain? I believe it to be the same.—Did he say any thing about it? He said he had paid 3*l.* 15*s.* for it in the docks that morning. He also had a plain gold ring, which he said he had paid 7*s.* 6*d.* for at the same place at which he had bought the chain. My husband saw him as well as myself.—Did you on that Monday morning observe any thing with respect to his hat? I observed that he had a new hat on his head which I had never seen before.—Did you say any thing about it to him? I said he was very extravagant in having a new hat, and he said his old one was smashed and thrown into the dust-hole.—Do you remember your husband asking him any thing? He asked him what he gave for it, and he replied that he gave 14*s.* 6*d.*, and my husband said it looked more like a guinea hat.—Had you observed before that what sort of a hat Müller wore? Yes; a plain black hat with a merino rim, and it had a striped lining.—What kind of stripe? A broad blue stripe, edged with black and white.—What drew your attention to the lining? Its being peculiar. I never saw such a lining before.—How came you to notice it? Because of its being a particular lining.—Do you know whether he was in the habit of putting any thing behind the lining? I have seen him put letters there. I gave a description of the hat to the police.—(The hat was produced and handed to the witness.) Look at that hat.—To the best of my belief that is the hat; both the rim and lining are the same. They correspond with what I have seen.—Have you ever heard him say any thing about the hat? Yes, he said that Mr. Matthews, the cabman, made him a present of it.—When did he tell you that? Either in November or December the previous year.—Had you noticed Müller wear any other hat beside that? Never.—Did you ever see it in a hat-box? I did. He brought it in a hat-box to my house. (The hat-box was produced and identified.)—How long did they remain there? He took them away again after showing them to me.—On Saturday, the 9th of July,

what coat had Müller on? Well, sir, to the best of my belief it was the old one.—Do you recollect whether Müller had a coat with a velvet collar? Yes, an overcoat.—Do you recollect whether he had that coat on on the 9th of July? He had not. (The two pairs of trowsers being handed to the witness, she identified the light pair as the pair Müller had on on Monday morning, and the dark pair as the pair that he used to wear when he came there.)

Cross-examined.—Müller left about half-past seven on the Saturday evening. He left with a person of the name of Haffa.—Had he a slipper on on the whole of Saturday? Yes.—You don't know whether he left with a slipper or not? No.—You produce a slipper? Yes, one left at my house on Saturday.—He had taken the right slipper away? Yes.—But whether he had it on or not you cannot say? No.—You understood he had been lame on the right foot since Thursday? Yes.—Is he rather a vain and boastful man? Well, he was rather fond of finery.—And of showing things that he had? Yes.—Used he to romance a little, as it is called, now and then? I cannot say.—Did he tell you that Mr. Hodgkinson was sending him out to New York? He told me he had told Mrs. Blythe that, but we knew different.—And that he was to have 150*l.* a year? He did not tell me that, but that he told Mrs. Blythe so.—You seem to have been constantly looking into his hat, and having it in your hand. How was that? I often moved it out of my way, and then I looked at it.—But how came you to have it so often in your hand? I don't know. I only had it in my hand when he put it in my way.—My friend asked you to describe it. Did you not see it at the Police Court and before the coroner? Yes I did.—You had seen it twice before, then? Yes.—Do you know a man named Haffa? I do.—How long have you known him? twelve months and more? Yes.—Has he been in the habit of coming to your house? He has been in the habit of working for Mr. Hodgkinson.—How long had you known Müller? Nearly two years.—Do you know Haffa? Yes.—Is he in the habit of constantly coming to your house?—Yes. What is the colour of the lining of his hat? I don't know.—Have you other male friends coming there? Yes.—What is the colour of the lining of their hats? I cannot say.—You seem to have been only looking into Müller's hat? Well, the thing struck my fancy. I may have looked into it thirty or forty times.—Do you know a cabman named John Matthews? Yes.—How long have you known him? About six years ago I first met him.—Does your husband know him? Yes.—How long after you heard of this murder did you see Matthews? Not till after he came from New York.—Were you in the habit of visiting Matthews, and did the families visit? I think I went there about twice, not more.—Did you know that the prisoner a month or two before bought some new clothes? Yes; a pair of trowsers.—Do you remember about that time asking the prisoner to lend you 5*s.*? Yes, he did.—Did he not say that he could not do so because he was going to buy a new hat? I do not remember.—You are sure of that, are you? Yes; he did lend the money.—Did you not say just now that you did not remember? And did you not say, "Pooh, pooh, you can buy a hat next week?" I do not remember.—I think you said he had the same dress on on Monday except the trowsers? I cannot say whether he had a velvet collar coat on or no.

Re-examined by the Solicitor General.—How long is it since you borrowed the 5*s.*? I do not know, but it was paid upon some settlement.—Did he say any thing at all about a hat? No, not at that time.—Was it at the time he bought the hat new in the bandbox? After that.—Did you ever lend him money? Frequently I have lent him a trifle, and he has paid me back.—Do you recollect whether you lent him any the last week or fortnight? I don't.—You have been



asked a good deal as to the colour of the hats of other persons ; now take that hat in your hand. Did you ever see in all London a hat with a lining of that colour ? No, I never did.—You say he brought it to you new. Did you make any remark ? I said, “ What a peculiar lining ! ” I believe I only saw him put letters behind the lining once. I pledged the coat for him, because he said he had not money to pay his passage.—Did he ask you to pawn it for him ? Yes.

The Chief Baron.—When ?

Witness.—On the Wednesday after the Saturday, on the 13th July.

By the Solicitor General.—I pawned it for 6s., and gave the money to Müller.—You spoke of a new pair of trowsers—a dark pair—which he took off and put on another ? Yes.—Did you see him with them on again ? No.

Arthur Repsch, husband of last witness.—The prisoner Müller used to work at my shop, and worked on Saturday, the 9th of July. He had an old pair of trowsers on, in which he was accustomed to work at our shop.—Do you know whether, when he went out on Saturday evening, those trowsers remained there ? They remained behind.—Do you know of a pair of trowsers of his with green spots ? You knew he had another pair ? Yes ; a green mixture.—When did you see him with them on ? I cannot say.—You remember the murder of Mr. Briggs ; did you ever see those trowsers after that day. I cannot say.—He went to your shop on the Monday ? Yes.—Did he say any thing ? He said he had got a new hat, and he also had a chain and ring upon him, which he said he had bought in the docks.—Did he say any thing about his hat ? He said he had worn it two or three times on Sundays, and had bought it about two months before.—About the chain you said he had, where did he take it from ? From his waistcoat pocket.—Was any thing attached to it except the ring ? The ring was not attached, it was on his finger.—Did you make any observation about the value of the hat ? I said it was worth a guinea ; he told me the price was 14s. 6d. ; that is why I said it was worth a guinea.

Cross-examined.—Have you seen him wear the trowsers and coat he had on on Monday before ? Yes.—Was it not you who said, “ Why, you have got a new hat ? ” No, I did not say so ; my missus said, “ Why, you have got a new hat.”—Did you say, when asked to describe what he had on on Saturday, that he had on dark trowsers, grey and all colours, very old, and with brown stripes ? Yes, I did.—On the Saturday ? Yes.—I am not speaking of the trowsers he left behind him after he had left. Do you mean he was wearing them when he went away ? No, I did not see him go out.—Did he come early on Monday morning ? No ; between ten and eleven.—Did you not ask him to come with Haffa to help him to cut out some people’s work ? No.—Did you ask him to come early to fetch the neckties for Haffa ? No, that was on the Tuesday morning.—You knew he was going to America ? Yes.—I believe you gave him leave to work up the clothes for going out at your shop ? Yes, I did. I went with him to the “ Victoria.”—Every one who knew him knew, I suppose, that he was going to America ? Certainly.—Did you know John Matthews ? Yes ; I have known him eight or ten years.—How soon did you see him after the murder ? I think the first time I saw him was at Hackney.—When was that, at the inquest ? At the inquest.—Before or after he had given information to the police ? After the information. Before the Saturday of which we have been speaking, I can’t say that I saw Müller for a month. Two months before that I know he bought some new clothes and a hat. He never had to come to work on Sundays. I had occasionally seen him on Sundays.

Re-examined.—I had seen him on week days, but had not noticed his hat. I

described to the magistrate some clothes.—Are these them ? (some clothes handed to the witness.)

Witness.—These are working clothes, and that pair of trowsers are those I described as old, and of different colours.

John Haffa, sworn, examined by Mr. Hannen.—I am a German tailor, and knew the prisoner twelve months. I remember seeing the prisoner on the 9th of July at Mr. Repsch's, between six and seven o'clock. He was there before me, and left between seven and eight in the evening.—Did he say where he was going ? Yes, to see his sweetheart.—Did you see him on Monday ? Yes.—Did he show you any thing ? Yes.—What ? A chain.—Did he tell you any thing about it ? Yes, he said he gave 3*l.* 15*s.* for it.—Did you accompany him to his lodgings that night ? Yes.—Did you remain there ? Yes.—I believe you took his lodgings ? I did.—Did you make him a loan ? I lent him 12*s.* I gave some things to Mr. Repsch to pawn to raise that money.—Did the prisoner give you any thing ? Yes, the duplicate of a gold chain. (No. 2, the chain given by Mr. Death in exchange, produced.)

Witness.—I afterwards got a ticket from Repsch for a coat that had been pawned.—When did you get the coat ? The day before he came back from America.—What did you do with it ? I sent it to Scotland-yard the same day I took it out.

Cross-examined.—I was well aware of Müller's going to America. He spoke of it as soon as he came to Mr. Hodgkinson's, and made up his mind to it before he left. I knew he was lame. I have seen him in possession of money, both gold and silver.—You cannot say how much ? No, but I believe it was for the passage. It was a week before.—You have known him twelve months ? Yes.—Did he bear the character and disposition of a kind and humane young man ? Yes, always.—Have you lodged with him ? He has slept with me once or twice.—When he said he was going to see his sweetheart, did he say he was going to Camberwell ? No, but I understood him so.—Did he say his sweetheart's name was Eldred ? Yes.—What time did he leave on Monday ? About a quarter to eight. He had a slipper on, and he told me that a letter-carrier's cart had hurt his foot.—After the Monday did you assist him in making up his passage-money again ? Yes, I did.—Did he tell you what had become of that money ? No ; I did not ask him.—Did you know of his going to the docks several times ? From what he said to me I did.—Are you quite sure he did not tell you that he had spent that money in purchasing a watch and chain at the docks ? I cannot say that he said so to me. I believe he has said so.—Do you know Mr. Death, the jeweller in Cheapside ? I did not before this case came on.—Do you know of Müller's having a gold chain repaired in November, or that he had one at all ? I gave him a chain myself to sell.—Did he sell it ? No, he did not : he returned it to me.

Re-examined by the Solicitor-General.—When was this transaction about the chain ? Some months ago ; but he brought it back to me.—When did you see him with some money ? A week before he left.—Did you count it ?—No.

Mr. Robert Death.—I have a recollection of a person coming into my shop on the morning of the 11th of July.—Do you recollect whether it was the prisoner ? I believe the prisoner to be the person.

Cross-examined.—I do not remember a person calling in June about a chain to be repaired.—Look at that chain ; there is a link broken which has been repaired. (Chain No. 3, the chain the prisoner stated was his own, produced.)

Witness.—I never saw this chain before, I am positive ; it is so peculiar in its make.—Have you any body else in the shop ?—We have only a boy in the shop

besides my brother and myself.—Do you remember the dress the prisoner had on? The coat was dark.—Did you notice the trowsers?—My first impression was that the trowsers were light, but I was not positive about that.—Do you employ a number of jewellers, or one? One jobbing jeweller.—What is the address of the jeweller you would have employed in November? He lives at 14, Bartholomew-square, but we often send chains that are brought to us to repair to the chain-maker's.

John Henry Glass said,—I am in the employment of Messrs. Hodgkinson. I have been so for some time. I have known the prisoner about four years. I do not know how long he was in the employment of Mr. Hodgkinson. On Tuesday, the 12th of July last, he came to me in Mr. Hodgkinson's shop at four o'clock in the afternoon. He offered me a gold watch. He said he wished to get some one to buy it, as he wanted money to go to America. He said he had got a chain pledged with a pawnbroker for 1*l*. He said he wanted to pawn the watch and chain together, and get 4*l*. 10*s*. The watch produced is the watch he showed me. It is his own watch he had been in the habit of wearing. He said he would come again the next morning. He did come next morning at nine o'clock. We went together to a pawnbroker's named Barker. I forget the name of the street. I went into a pawnbroker's and there took a chain out of pawn. This chain [taking it in his hand] is the chain in question. I paid 1*l*. to take it out of pawn. We then went together to Mr. Cox's, Prince's-street, Leicester-square. I there pawned the watch and chain for 4*l*. Müller took the money and I took the ticket. The ticket was in my name. I gave the prisoner 5*s*. for the ticket. I gave the 1*l*. for the chain. I paid 1*l*. 5*s*. altogether. We then went together in an omnibus as far as the Bank, where we parted. He said he was going to the London Docks.

Cross-examined.—You say that you have known Müller for four years? Yes.—Has he been in this country the whole of that time? Yes.—Of what part of Germany is he a native? Saxe-Weimar.—Are you a foreman or ordinary workman? A journeyman.—During the four years you have known this young man has he borne the character of a kindly and well-disposed man? Yes, as long as I have known him.—And you have had full opportunities, from seeing and associating with him, of judging of his character for humanity and kindness? Yes.—And you say that is the character he has borne? Yes.—Was he in the habit of pledging his watch and chain? I do not know.—I believe you saw him with some money? I did not.—On the 9th of July did you see any money in his possession? No.—What wages did he earn? I don't know. I am a piece-worker, and can earn 30*s*. or 36*s*. a week.

Henry Smith.—I am in the service of Mrs. Barker, a pawnbroker in Houndsditch. On the 22nd of June I took in pledge an Albert chain. I have the ticket, and produce it.—From whom did you take it? I believe from the prisoner.—Have you seen the chain since? I have seen it this morning [chain handed to witness]. That is the chain. I advanced 1*l*. upon it. The ticket got damaged, and I renewed it on the 12th of July. It was redeemed on the 13th July, the next day. Müller redeemed it.

Alfred Wey.—I was formerly assistant to Mrs. Barker. On the 13th June a watch was pawned. I have seen it since, and identified it. I received the watch in pledge from Müller. I advanced 2*l*. upon it. It was redeemed on the 12th July by Müller, I believe.

Charles Young.—I am assistant to Mr. Annis, pawnbroker, 121, Minories. On the 12th of July I took a gold chain from a man. I have got the ticket. The man



gave the name of Miller—John Miller. I advanced 1*l.* 10*s.* He gave as his address, 52, Jewry-street, Aldgate. I afterwards handed the chain to the police.

Jonathan Matthews, examined by the Solicitor-General, said,—I am a cab-driver. I know the prisoner Müller. Before the day of the murder, on the 9th of July last, I had known him two years and some few months.—How did you become acquainted with him? By his working with a brother-in-law of mine, and by his coming to my house to dinner with him.—You have known him from that time? Yes.—Has he visited you at your house? Oh, yes; two or three times a week he came to my house.—Have you been to see him? Oh, yes.—Do you remember any thing which passed between you on the subject of a hat towards the end of last year? I do.—At what time? The latter end of November or the beginning of December.—What was it that took place between you and Müller? I had a new hat, and he came to dine with me on Sunday. He saw me with the hat on, and he said he would like to look at it. He looked at it, and put it on his head, and said it was too small for him. He asked what I gave for it, and I told him 10*s.* 6*d.* He said he would like one like it, and I told him I would get him one.—Was any thing said about the size of the hat? I said, “If I get one which is too easy for me, it would suit you.” He said, “Yes, very nicely.” I got one at the same shop. I mean the shop of Mr. Walker, in Crawford-street, Marylebone.—Do you recollect the lining of the hat? I can recollect it being a kind of striped lining. He ordered it on Friday, and I went to Mr. Walker’s on Saturday, and got the hat. I took it away with me in a hat-box. I kept it until the Sunday week following, when Müller came for it. I gave him the hat, and he took it away with the box. I paid 10*s.* 6*d.* for the hat. He did not pay me again.—Did he settle in any way for it? Yes, he made me a waistcoat in return—the waistcoat I now wear, a black one.—Did Müller ever wear the hat you bought? Yes, very frequently.—Can you tell me the latest time you saw him wearing that hat? I should say about a fortnight before the murder. (Hat produced.)—What is your belief as to the hat? I believe it is the hat I purchased. It corresponds with it. Before I left the shop I had it turned up a little extra, like one of my own. It was turned up whilst I was there. On one occasion afterwards I noticed a little curl in the brim, and I asked him if he had done it up. He said, “No.” The rim corresponds with the one I bought. All my hats are like that. If I buy a hat, I prefer merino under the rim; it does not become so soon greasy.—Do you remember seeing at your house a small jeweller’s box with the name of “Death” on it? Yes.—Is that like the box [the box was handed up to witness]? That is like it.—When did you notice that? On Tuesday morning.—Subsequently you saw some hand-bill, and you gave information to the police?—I did.

Cross-examined by Mr. Sergeant Parry.—I understand that you identify this hat [the hat said to be Müller’s] because certain portions of the rim are turned? Not only by that; it is one thing.—You are quite certain of that? Yes.—And you had the rim turned in the shop? Yes.—Was your own hat exactly like it? As near as they could possibly get it.—Did you not state before the magistrate that one of the means of identifying the hat was that three weeks prior to the 9th of July the rim of the prisoner’s hat was turned up at one part more than another, and you told the prisoner so? I did.—Did you ever mention before to-day that you had these two edges turned up at your own request at the shop where it was bought? No.—Did you before the coroner say that you noticed and remarked to the prisoner that one side was turned up more than usual, and that it might have been done by his lifting it on his head? I did.—Now, as to your own hats. Can you tell me how many hats you have bought? I cannot.—Can you tell me

how many hats you have bought within the last six or twelve months before the 9th of July? I could not.—What became of the hat which was just like this?—I could not say, but I think I left it at one of the hatters' shops where I have bought hats since. I believe I did so.—Where did you buy the hat you now wear? At Murray's, in Oxford-street.—Did you leave your old hat there? No.—Have you not stated that you left it at Mr. Down's, in Long Acre, three weeks before the 9th July? I stated I left it there, but I could not say as to the time.—When did you buy one in Oxford-street? Two days before I went to America.—When did you buy the hat at Down's? I had two hats. I cannot say from which place I bought it, whether from Down, in the Strand, who made it for me, or Down in Long Acre. I had so many I cannot bring it to mind.—Did you not say, "I purchased the next hat at about June, at Down's, in Long Acre; I gave 5s. 6d. for it, and I left the other one at Down's?" I did.—And that is not true? No, because it was a longer time ago.

The Lord Chief Baron.—When did the witness go to America?

Witness.—I left for America on the 20th of July.

Mr. Sergeant Parry.—It was a mistake to say that the next hat you purchased you bought at Down's, in Long Acre, in July, and that you left your old one there? Yes; I do not know how many hats I have bought.—Did you afterwards find that there was no such hatter as Down in Long Acre; that the shop was shut up three weeks before the time you speak of? Yes.—Have you altered your statement since then? I was surprised to hear his shop was shut up, I had so many hats of him. I made inquiries, and found it had been closed a fortnight or three weeks before this job.—Did any one assist you to find out that there was no such hatter as Down in Long Acre? I went with Clark, the inspector, to Long Acre.—And you found the shop did not exist? Yes.—Have you any idea whatever what you did with your last hat? No.—Do you ever throw your hats in the dust-hole? Sometimes.—I believe you have said you could not swear to the colour of the lining of Müller's hat? Yes.—Can you swear to the colour of the lining of your own hats? Not as to some of them.—When did you first hear of this murder? On Thursday or Friday in the week following.—Do you mean to say you had not heard of it before? Yes.—You had been out with your cab? Yes.—And yet you never heard of the murder? I did not hear of it.—You occasionally speak to your fellow-cabmen on the rank? I do.—Did you go into any public-house? I am not a public-house visitor. Perhaps once a day I may have gone in; that is all.—There is no harm in being in a public-house. Did you go into a public-house for refreshment? Yes.—Every day? Yes.—Do you take in a newspaper sometimes? I do.—Do you take any particular paper? Not any particular paper.—Do you take in any Sunday paper? Yes; occasionally *Lloyd's*.—Do you take a daily paper? Sometimes.—Did you see no newspaper from the 9th of July until the Thursday or Friday you speak of? No paper about the murder.—Did you not see any thing about the murder in large conspicuous letters over and over again before the Thursday? No.—Did you see no placards at the police-stations about it? No; I saw some placards at the latter end of the week, but I did not read them.—You knew Müller was going to America? Yes.—When did you give information to the police? On Monday, the 18th of July.—At that time did you know that Müller had gone in the Victoria sailing-ship for New York? Yes.—Did you know he was going to sail on the 14th? Yes; he told me so.—He came to your house to bid you and your family good-bye? Yes.—Can you tell me what you were doing on Saturday, the 9th of July? I find I was out with my cab. I

did not know when I was examined before where I was.—Did you say before the coroner, “It is impossible for me to say where I was on Saturday, July 9. I was about with my cab, but I cannot say where?” I did say so, but I have since made inquiry.—Since you were examined before this inquiry? Yes.—You made inquiries with a view to give evidence here? I made inquiries to know where I was. I had lost my pocket-book and could not tell before. I have since found it.—You have made inquiries since you were examined before the coroner? Yes.—You have said that your master, Mr. Purkin, was sold out? He sold off.—Then that is another mistake? Yes.—You said, “Mr. Purkin lived in Lisson-grove, and was sold up a week after the 9th of July.” That is a mistake in the depositions? Yes; he sold off.—When did you first see Repsch after you gave information? At Bow-street.—You did not see him before you gave information to the police? No.—You are quite sure of that? Yes; not for years previously.—How long have you been a cabman? I have been licensed nine years, but there have been three or four years between some of the licences.—Have you been any thing else besides a cabman? I have been coachman in training-stables—that was twenty-three years ago.—Have you been a cabman since then? Yes. I have also been in business. I have had a small fly business. I was foreman to a Mr. Hubble, and to Mr. Langley, who has a cab business at Westminster.—Any thing else? I have been a driver to the London General Omnibus Company.—You have, in fact, been a driver during the whole of the twenty-three years? Yes; I have taken an ostler’s situation.—Have you ever been a coachman to a private gentleman? No.—Have you been insolvent? Never.—Bankrupt? No.—Were you in business at Brixton? Yes.—Did you fail? No. I was not making a living, I owed some money, and was not able to pay.—Are you still in that position? Yes.—Have you stated to some of your creditors that as soon as you get a portion of the reward you will settle with them? No.—Will you swear that? Yes.—Of course you expect a portion of the reward? I don’t understand you.—You are the only person in court, Mr. Matthews, who does not. Do you expect a portion of this reward of 300*l.*? I leave that entirely, if I have done my duty, to the country.—Then you do expect a portion of it if you have done your duty? I have no expectation of any thing. I should have done the same thing if there had been no reward.—You have seen placards offering a reward of 300*l.*? I have seen bills.—Now, do you not expect a portion of the reward? If I am entitled to receive it I shall expect it.—Have you ever said this—that if you had kept your mouth closed a little longer they would have given a reward of 500*l.* instead of 300*l.*? I never said those words or any thing like them. I said I was given to understand that on the morning of the coroner’s inquest placards were being printed offering 500*l.*; but had it been only a shilling, I would have given the information.—That is a compliment to yourself, I did not ask for that. You were once convicted of a little, petty offence? For no theft.—What was it for? For absconding from my situation without giving notice.—Do you swear that? I do.—What situation was it you absconded from? I was conducting a coach business.—Why should you abscond from conducting a coach business? I made a little free, and got out for what they term a spree. I left the coach without any one to start it.—Were you convicted for that? I had twenty-one days because I could not pay.—Were you ever at Norwich in 1851? No.—Your name is Jonathan Matthews? Yes.—When were you at Norwich? In 1850.—You were then in prison for twenty-one days. Were you in prison for any thing else on any other occasion? No.—Were you tried before a jury? Yes.—What! for a spree? Yes.—I never knew



of a jury having any jurisdiction over that. You were tried by a jury for a spree in absconding from the coach you drove? Yes; but the box was sent to my home, and they tried me for theft.—They did absolutely make a theft of it? Yes.—Were you not convicted of having feloniously stolen and carried away a posting-hood, value 8s., a pair of spurs, value 2s., and a padlock, value 6d.? That was brought in because they were in the box unbeknown to me.—You said that the lining in Müller's hat was the same as the lining in yours? Similar.—Did you not say that the lining in both hats was nearly alike? Yes; as nearly as possible.

Re-examined by the Solicitor-General.—I was imprisoned for twenty-one days in 1850; that is, fourteen years ago. I am now thirty-seven years old. I have not been in any trouble of that kind since. I gave information to the police on Monday, the 18th.—How came you to give that information? I was at the Great Western Hotel, at Paddington, and when the horse was drinking, I saw a bill on the wall over. When I read the handbill I spoke to the waterman and then went immediately home and looked at a small box. The box produced is the one. I saw something also in the bill about the hat being bought in Crawford-street. Müller gave the box to my little girl when he came to my house. I knew the name of Death was upon it. I then went to the waterman and showed him the box. We both got into a cab and went to the Hermitage Police-station, at Paddington. I there saw Sergeant Steer and gave him the box. I also gave him a slip of paper with some of Müller's writing on it.—(Inspector Tanner produced the paper. It bore the name and address of Mrs. Blythe.)

Re-examination continued.—I subsequently went to America. I was examined before the coroner the day or the day after I came back.—You were then cross-examined as to where you had been on the Saturday of the murder. Had you then prepared yourself to give information on that point? I had not when asked by the coroner. I did not know precisely where I was. I had some little idea, but I did not know until I got home. I then inquired of the waterman and wrote to my employer on the subject. His answer has been produced.—From subsequent inquiries and communications you have received from your employers and others, are you able to tell us where you were that night? Yes; I was on the rank from seven until about eleven.—Where at? The Great Western Railway station. I did not have a fare during that time, and I then went home. I bought a joint of meat on my way home. Then I took the cab to the stable yard, and went home.—You were cross-examined a good deal about your hats. You are out at all times of the day and night, and you wear out many more hats than people who are mostly indoors? Yes; I have had upwards of nine or ten hats in one year. We are exposed to a good deal of rough weather, and I never wear a weather hat.—Subsequently to your former examination you made inquiries on the subject of your hat, and is what you have told us to-day correct or not? It is correct.—My learned friend has read to you a statement you made, that one part of the brim of Müller's hat was turned up a little more than the rest; I believe one part is still turned up a trifle more? Yes.—Is it a fact that there is a slight curl more on one side than on the other? Yes.—And that is altogether a distinct statement from your other statement, that both brims were turned up by the hatter at your request? Yes.—Did you call Müller's attention to the one brim being turned up more than when you bought the hat? Yes; I told him I thought he had had the hat done up, it looked so well, and that the brim had a greater curl than when it was new.

The depositions of the witness, taken before the magistrate and coroner, were then read, and in some particulars did not entirely agree with his present testimony.

Eliza Matthews.—I am the wife of the last witness, and have known Müller rather better than two years. He came sometimes to our house. I was present when my husband bought a hat in November or December last year. He bought it at Walker's, in Crawford-street. It was turned up more at the side than my husband's. The one produced looks like the very same hat. My husband gave that hat to Müller a fortnight afterwards, so he told me. On the 11th of July Müller came to my house. I have four children. He came between two and three in the afternoon. He came to wish me good-bye, as he was going to New York. He stayed three or four hours. He said he was going out for Mr. Hodgkinson, and was to have 150*l.* a year. Müller said he met with an accident on Thursday—a light cart run over his foot. Whilst he was at my house he showed me a chain [No. 2]. He took it off the button-hole of his waistcoat. I took it in my hand. I said I thought it was a good one, but it looked rather pale in colour. The chain produced [No. 2] is like the one he showed me. The jeweller's box he took from his pocket and gave my little girl. She is ten years old, and will be eleven in December. On Monday week afterwards my husband came home and asked for a box. The child played with it in the evening she received it, then it was put into a drawer. I noticed that Müller had a ring on. I looked at it, and he said his father sent it from Germany; it was a plain gold ring, with a cornelian head on it, like the one produced. He bade me good-bye, but said he would come on the Tuesday or Wednesday to wish my husband good-bye.

Cross-examined.—Müller said he would like to receive the 150*l.* a year from Mr. Hodgkinson half-yearly. My husband saw him on the Tuesday morning. I did not notice the name of Death upon the box. The prisoner did not say any thing about Mr. Death. I am certain of it.—Did you not make a remark about Mr. Death being a good jeweller? I forgot that; I thought he must be a good jeweller, having a shop in Cheapside. I did not know Mr. Death, and never saw his shop.—You noticed that on the Monday Müller had dark trowsers on? Yes.—As he was going away did you not make a remark that his hat had worn very well, and he replied at once that it was a different hat? Yes.—You heard of the murder on Monday, the 11th of July, from a lodger? Yes.—You heard there had been a shocking murder in a railway carriage? Yes.—Do you take in a Sunday paper? Yes; and I had one on Sunday, the 10th of July.

By Mr. Sergeant Ballantine.—Did you have any conversation on the subject of the murder with your husband? No.—What number of hours is your husband usually out? On week days from nine in the morning until one the next.

Mrs. Repsch, recalled.—The Foreman of the Jury: On what day of the week did Müller bring the hat and box to your house? I cannot say. I think it was a Sunday most likely; but I cannot say.

Mr. Repsch, recalled.—By Baron Martin: On what days did you see Müller? On week days. I had not seen him on Sunday for three or four weeks before the murder.

Joseph Honnequart, examined by Mr. Giffard.—I am foreman to Mr. Hodgkinson. Six weeks before the 9th of July prisoner was in Mr. Hodgkinson's service. He was engaged originally at 25*s.* a week, and he worked at that nearly a month, and he then worked piece-work for two weeks. He did not

again go back to 25s. a week—he said he could make more at piece-work, and he discharged himself on the Saturday before the murder. He was not engaged to go to America for my employers.

Cross-examined.—He was in our employ six weeks.—Did he bear a good character with you? He was always very polite.

Edward Watson stated that he was formerly foreman in the employ of Mr. Walker, hatter, of Crawford-street, but left him last week. Was in the employment four years. Had seen the hat produced. The lining in the hat was not appropriated to any particular class of hats. It was used part of the time that he was at Mr. Walker's. Had never seen a similar band used by any other hatter. The price of the hat was about 8s. 6d. Could not say exactly, from the present state of the hat, what it was sold at.

Cross-examined.—The lining was a peculiar lining. I do not think Mr. Walker ever had more than three or four of that kind of lining. We buy the linings ready cut. This lining was one of a quantity of samples that Mr. Walker bought, and there were not more than three or four of that particular pattern.

Mr. Walker, hatter, Crawford-street, Marylebone, identified the hat as having been sold in his shop. The lining was a peculiar lining. He did not think they had more than one. They might have had two hats lined with that kind of lining. It was one of a great number of linings that he bought, but they were all samples, and he did not think there were two alike. There might have been two. It was a French lining. Should think the price of the hat would be 8s. 6d. or 10s. 6d., but from the present condition of it he could not tell.—The witness was not cross-examined.

Superintendent Tiddy, of the Marylebone police, produced the jewel-box and hat-box, and the slipper which he received from Mrs. Blythe.

James Giffard, agent to Messrs. Grinnell and Timber, shipping agents at the London Docks, stated that the office was opened about nine o'clock in the morning. He recognized the prisoner. First saw him on Wednesday, the 13th of July, about eleven o'clock in the morning. Prisoner asked him what was the passage to New York. Told him it was 4*l*. He asked when the ship sailed, and witness said "To-morrow." Prisoner went away, and came back about two o'clock, and said he had come to pay the fare. He paid the 4*l*. and went away. He came back about half-past three with three parcels. Two were small ones, and one was a large one wrapped in canvas. The large one would be about eighteen inches long by nine inches wide. Could not tell from the appearance of the parcel what was inside. Witness told him he could not take charge of them, and the prisoner took them away. Afterwards he saw the prisoner on board the Victoria. She sailed on the Friday morning about half-past six, and prisoner was on board of her.

Cross-examined.—It is the custom of poor German emigrants to carry with them small parcels. Besides me there is a German porter in the office, who in my absence answers inquiries. There were four or five German passengers in the Victoria. The docks open in the morning at six o'clock. My general time for coming to the office is nine o'clock. Prisoner gave his right name, Franz Müller. I have not got the contract ticket. The form is to give the name of the vessel and the passenger's name and his age.

Jacob Weist deposed that he is in the employment of the last witness at the London Docks. Remembered seeing the prisoner some days previous to his paying his passage-money. Could not be positive, but believed he saw him there on the Monday. Got to the office himself about nine on the Monday.



George Clark, sergeant of the detective police, said,—On Wednesday, August 24, I went on board the *Victoria* at New York, accompanied by a New York police officer named Tiemann. The prisoner was on board, and he was called to the afterpart of the ship by the captain. I seized hold of him by the arm, and he said, "What is the matter?" Tiemann said, "You are charged with the murder of Mr. Briggs." I said, "Yes, on the North London Railway, between Hackney Wick and Bow, on the 9th of July." Prisoner said, "I never was on the line." I do not know whether he added "that night." That was all he said at that time. I replied that I was a policeman from London, and Tiemann said he was a policeman from New York. The prisoner did not say any more at that time. I took him down into the saloon, and Tiemann searched him in my presence. He took a key from his waistcoat pocket. I took possession of the key, and said, "What is it the key of?" and he said, "The key of my box." I said, "Where is your box?" and he said, "In my berth." In consequence of what the captain told me, I went to No. 9 berth and brought out a large black box, and brought it into the saloon. I unlocked it with the key which I had taken from the prisoner's waistcoat pocket. I found a gold watch wrapped in leather, and said, "What is this?" He said, "My watch." I then took up a hat which was inside the box, and said, "That is your hat, is it?" and he said, "Yes." I said, "How long have you possessed it?" He said, "I have had the watch about two years, and the hat about twelve months." I told him he must remain in custody, and I kept him on board all night.

Cross-examined.—He answered all the questions I put to him very readily indeed.—When you told him the name of the murdered man, and said the murder was on the North London Railway, did he not say, "I know nothing about it?" My impression is that he said, "I never was on the line." In my deposition I said I found no new shirts. I find that was a mistake. I thought they were old shirts because they were dirty, but since then I find they were shirts that had not been worn much. I should think they had been worn once or twice, probably not more than once.

Richard Tanner.—I am one of the inspectors of the detective police of London. I went to America in company with Sergeant Clark on this case. I also took with me Mr. Death, and Matthews the cabman. I went on board the *Victoria* on her arrival at New York, and found Müller. Mr. Death was on the deck. I placed Müller among seven or eight other persons, and Mr. Death came down and pointed him out.—Did you say any thing to Müller about a ring? Yes, I said, "You stated you lost a ring on board the ship." He said, "Yes, but I have not lost it, it must have been stolen from me." I said, "Tell me what sort of a ring it is, and I will endeavour to have it found." He said, "It is a gold ring with a stone in it." I said, "A red stone?" and he said, "No, a white stone. I bought it in Cheapside, and gave 7s. 6d. for it." The ring was not found. I took possession of the effects of the prisoner. I showed them to him before I took possession of them, and he said that was the whole of his property with the exception of the ring. I had told him that I should take him home as a prisoner, and that he had better tell me what he had, that I might take it all with me. (The box was brought into court.) This is the box. (Witness then took from the box a pair of trowsers, several articles of underclothing, and a pair of tailor's shears.) There was no coat in the box. The prisoner had but one coat—the one he has on now. He had no overcoat. There was no parcel in the box such as has been described.

Cross-examined.—Before I saw the prisoner, Sergeant Clark had told me that

the ring was lost. When I asked the prisoner about the ring, he said he thought it was stolen from him. In fact he had a suspicion of a man who he thought had stolen it. I said, "Is it a plain gold ring with a stone in it?" and he said, "No, it has got a head on it." I did not hear him say in New York that he had purchased the watch and chain in the docks. That was suggested by his counsel in New York. I believe that some German gentlemen in New York assisted the prisoner as some German gentlemen are assisting him now. I found 11s. upon him. I did not ask him how he became possessed of the money, and he did not offer me any explanation as to it.

The witness Clark was recalled.—Mr. Sergeant Parry: Did the prisoner say any thing to you about his having sold or exchanged a waistcoat? Yes; he said that he had exchanged it away for a leather reticule. I got the waistcoat back again. He had a very old one on when I took him in charge. He wore the waistcoat that I got back for him home. The clothes he had on were not taken from him in order that they might be analyzed so as to ascertain whether there was blood upon them, but they were carefully examined.

Mr. Thomas James Briggs.—I am the son of Mr. Briggs who was murdered. I saw my father the last time alive and well upon the Thursday before he was murdered. I heard of what had happened at two o'clock on the morning of Sunday. I went and saw him at the Mitford Castle Inn. The watch produced is my father's. I also recognize the chain and the seal. My father purchased his hats of Mr. Digance, of No. 18, Royal Exchange, and had been in the habit of doing so for many years. The hat now produced was shown to me at Bow-street. I did not recognize it, because it is a shorter one than he usually wore. The stick is my father's; the black bag belonged to my brother. I do not know a Mr. Thomas Lee, or rather I did not before this occurrence.—The witness was not cross-examined.

Mr. Thomas Titmarsh.—I am a watchmaker. I knew the late Mr. Briggs seven or eight years. I have repaired a watch for him once or twice. It is the practice in the trade when we repair a watch to take the number of the watch in our books. I know the watch produced. It was Mr. Briggs's watch. I repaired it twice for him, the last time in 1863. I should think the value of the watch is about £10 or £12. It is an old-fashioned gold watch, and might originally be sold for £25.

Mr. Digance, examined.—I am a hatter carrying on business at 18, Royal Exchange. The late Mr. Briggs was a customer of mine for the last twenty-five or thirty years. Every hat he had was made to order. I made a hat to the order of Mr. Briggs in September, 1863. According to the particulars in my book the hat produced does not correspond. It corresponds in the shape of the crown. It is a bell-crown, and he ordered a bell-crown hat. The hat produced is lower in the crown than the one that was made for him. It was a little too easy in the head, and I placed a little tissue paper round. It is not there now, but there are fragments of it inside the lining. This hat has been cut down, I should say from an inch to an inch and a half, and the bottom part of the leather has been cut. The piece has been removed and brought over the band and stitched, and the silk has been pushed down by that stitching.—Is that the way in which a hatter would cut it down? Certainly not.—How would a hatter cut it down? It is an operation I have never seen done.—But suppose it had been cut down and had to be fastened? He would secure it with gum and press it down with a hot iron. That process has certainly not been used here.—How has it been sewed, neatly or otherwise? I have not seen any thing of the kind before. I

should say it has been neatly done.—Would you say it has been done by a person who understands sewing? I should say it has.—Then, with the exception of the cutting down, the hat corresponds with that you sold to Mr. Briggs? It does.—When a hat is made to order is it usual to put the name of the customer inside? Yes, it is generally put on the band inside.—Is that the part of the hat which has been taken away? It is.

Cross-examined.—There is the name of Franz Müller inside now.—Is it usual to put tissue paper inside hats? Yes.—Do you know any thing of the second-hand hat trade? Nothing.—Might not some of your hats get into the hands of second-hand dealers? Yes, servants may sell them. (One or two hats were shown to witness.) These hats I should say are my manufacture. They are old affairs. (Another hat was shown to witness.) This hat was made to order, and there is the name of the customer inside the hat. Mr. Briggs generally had one hat a year; he was a very careful wearer.

The Foreman.—Can you state how much of this lining has been cut? I should think half an inch.

Mr. Frederick W. Thorne.—I am a hat manufacturer. I make hats for Mr. Digance. The hat produced is my manufacture, and it has my handwriting in it, the two letters "T. D." It is the practice when a hat is ordered to put the name of the customer. It is generally put on the band inside. This hat has been cut away from an inch to an inch and a quarter. The part cut out would be the part on which the name was written. Though I do not know that this hat was made for Mr. Briggs, I know it was made for Mr. Digance. I have known hats cut down. If a hatter cut one down, he would fasten with gum and use the iron.

Cross-examined.—I mark all the hats I make for Mr. Digance in this way. I make many grosses for him in the course of a year. I have other marks for other customers.

Mrs. Blythe, recalled.—Did you know the overcoat which the prisoner had with a velvet collar? Yes.—When did you last see him with it? On Thursday, the 13th of July.—That was the day he was taking his leave? Yes.—Was he wearing it? I cannot say whether he was wearing it or whether he had it on his arm.

This closed the case for the prosecution.

Mr. Sergeant Parry then addressed the court on behalf of the prisoner, and called the following witnesses to disprove the charge and to support an *alibi*.

Mr. Thomas Lee said.—I live at King Edward-road, and am a private gentleman. My father is a coal-merchant. I knew the late Mr. Briggs, and had known him three or four years. I last saw him alive on the 9th of July, at Bow station. He was in a carriage (first-class), at about ten o'clock, in a train coming from Fenchurch-street. The carriage was about three or four from the engine. I spoke to him, and said, "Good night, Mr. Briggs." He said, "Good night, Tom." The train stopped a little longer than usual. I got into a second-class carriage to go to Hackney. There were two persons in the carriage with Mr. Briggs. There was a light in the carriage. I believe Mr. Briggs had his hat on, otherwise I should have noticed. One of the men with Mr. Briggs sat opposite, the other at his side. The one opposite him was a stout, thick-set man, with light whiskers, and his hand was through the loop by the window. The other man, by the side of Mr. Briggs, was tall and dark.—To the best of your judgment, is the prisoner at the bar either of those men? I cannot swear to him.—Have you any belief on the subject? I should say prisoner was not one of the



men.—Were the men leaving the carriage? To the best of my belief they were not. They had no apparent intention of the kind. I was examined before the coroner. I first gave my evidence to Superintendent Howie.

Cross-examined by the Solicitor-General.—I was not examined before the magistrate. I live near Hackney station. I went to Bow for a change. I left my house, I think, about eight in the evening. I walked up Hackney a little way for a stroll. I started by the quarter to nine or nine train from Hackney. At Bow I took a stroll to Bow Church. I simply went there for a stroll, and went into a house there and had a glass of ale. I had but one.—What time did you get back to your house? At about a quarter to eleven. I spoke to no one in the mean time. I heard of the murder on Monday, and I never before had seen Mr. Briggs so late as on that night. I heard of it at Mr. Ireland's or Mr. Lake's. The former is a publican in Fetter-lane, the latter an eating-house keeper in Cheapside. I did not hear of the murder on Sunday; I heard of it on Monday. It might have been on Tuesday.—Will you swear that it was on Monday you heard of it? How can I swear to that of which I am not certain?—Why did you not inform the police you saw Mr. Briggs a few minutes before the murder in company with two men? I did not want to be brought up. I did not see the importance of my evidence. I first mentioned what I saw to Mr. Tomkins, on Monday night.—Will you swear that? How can I swear to what I think?—Did you tell your wife? I did.—Who else did you speak of it to? I think to Mr. Ireland, but at the time I thought it of no importance, and it did not impress itself on my memory.—Who did you tell it to next? Mr. Howie, the superintendent of the police.—Did you go to him? No.—He came to you? Yes, on the following Sunday.—Am I to understand, knowing the facts you have told us, you never went to the police but they came to you? Yes.—Had they not come to you, would you have gone to them? No.—Why? I know what a bother a prosecution is.—Is that your answer? Yes.—Do you mean to say you thought it too much bother to appear in a case of the murder of your friend, as you call him? Yes. (This answer created considerable sensation in the court.) I think I told what I had seen to a Mr. Tomkins on the Monday. I am not sure whether I did or not. I think the next person I mentioned it to was my wife, and after that to Mr. Ireland. I cannot swear positively, because I did not think the matter of any importance. The superintendent of police came to me about the matter, and I did not go to him. I did not give any information, because I did not wish to be bothered.

The Solicitor-General.—Then knowing your friend, as you say, had been murdered, you gave no information upon the matter because you did not wish to be bothered.

Witness.—Yes, that was my only reason.

Solicitor-General.—You have nothing to do?

Witness.—Nothing, except to collect my own rents.

Cross-examination continued.—I do not know who the ticket-collector was on this night. The train had just stopped when I saw what I have stated. I have been in Mr. Briggs's company several times, but I never took dinner or any meal with him. I only know him by seeing him in the City and riding home in the same carriage with him. Latterly he used to call me Tom. I did not observe any commotion when the train stopped at Hackney Wick, and I did not hear that any thing extraordinary had occurred.

Re-examined.—I will swear that I heard of the murder on the Monday or the

Tuesday. Superintendent Howie came to me and wrote down what I stated, and I believe I have always given the same account. Mr. Briggs was a man of very cheerful and affable manners. He generally used to sleep as he was going home in the train. I went to Bow-street, and when it was found that I could not identify the prisoner I was not called.

By the Jury.—Mr. Briggs generally slept with his hat on.

George Byers said,—I reside at Pimlico, and am a hatter, and have been used to the trade from a boy, and am acquainted with all branches of the trade, particularly the second-hand branch. In that trade it is very usual to cut down hats and mend them by stitching. The hat now produced [the one alleged to be Mr. Briggs's] has been altered in this manner, but it is not done as I should do it. I should stick it with dissolved shell-lac as well as sew it. That would involve more time and trouble.

By the Jury.—If a hat was wanted in a hurry it might be done as this hat is, in order to save time. It would take half an hour longer to make a good job of it.

William Lee said,—I am a hatter, and reside at Chelsea. It is a common thing in the second-hand trade, after cutting down hats, to stitch them, and I always do so. (This witness then also examined the hat, and he said he had altered a great many in the same way.) It was cheaper to stitch a hat than to purchase shell-lac. I have never seen this hat before to-day.

Cross-examined.—I should not cut the lining in the way the lining of this hat is cut. It is not customary to cut down a new hat.

By the Jury.—I should not have put so many stitches if I had sewed the hat.

A. C. Woodward said,—I am clerk in the Electric and International Telegraph Company belonging to the London district. The message now shown to me was sent from our office on the 9th of July. I produce the original. The message was read. It purported to be sent by Alexander Gill Strachan from Whitechapel, to Miss Eldred at Camberwell, requesting her to be at home on the afternoon of the 10th, as he intended to visit her.

Cross-examined.—I have no doubt this message was sent on the 9th of July.

By the Court.—The message was sent out at twenty-five minutes to five.

Mrs. Jones said,—I resided in July last at Henley Cottage, Vassall-road, Camberwell. At that time I had two female lodgers. They were in the habit of receiving visits from men. One of them was named Mary Ann Eldred. The prisoner was in the habit of visiting this young woman, and he had done so for nine or ten months before July. I remember my lodger Eldred receiving the telegram which has been produced, some time in the afternoon. The prisoner came to my house on the same day the telegram was received. He came about half-past nine in the evening to see Miss Eldred. She was out at the time. He stood about five or ten minutes talking to me, and then went away. I am quite sure it was as late as half-past nine when he came. I used to call him Mr. Miller, and also the little Frenchman. The young woman told me that he was a German. I noticed that he had a slipper on one of his feet, and he told me that he had met with an accident and hurt his foot. Miss Eldred did not come home until late, and on the following morning I made a communication to her. I also made a communication to my husband. My house was half a mile from the place where the omnibuses start at Camberwell.

Cross-examined.—Miss Eldred is here. I have removed to another house, where I go by the same name. I believe so, but I don't know whether my husband took the house in the name of Kent or Jones. It was about half a mile

from my house to Camberwell-gate, whence there were plenty of omnibuses going to the City. I cannot state exactly at what time I received the telegram. I took it in myself from the messenger, but I do not remember whether I signed for it or not. I took the telegram up to Miss Eldred the moment I received it. I should not have remembered the time the prisoner called if Miss Eldred had not told me. Miss Eldred did not go out until nine o'clock. She asked me what time it was just before she went out. She asked me the time, and I called out "Nine o'clock," and she went away. I do not think any inquiries were made of me about this matter, until seven or eight weeks ago. A German gentleman called, and inquired if I knew Müller, and when he had been at our house; and I told him all I knew. I did not know until the German gentleman came that the prisoner was the person who was suspected. Miss Eldred was called into the room, and I am sure that at this time she did not suspect that her friend Miller was the murderer. She did not recollect any thing about the telegram until two or three weeks ago, and she looked for it and found it. She did not tell the German gentleman that she had received a telegram on the last day that Müller called. The German gentleman was accompanied by another gentleman.

Sergeant Ballantine.—Then, although you knew you had received this telegram, which would fix the day, neither you nor Miss Eldred said a word about it until three or four weeks ago? Can you give any reason for this? The witness said she could not.

Re-examined.—We could not tell the day that Müller called until we found the telegram.

By the Jury.—The prisoner had a hat on when he called.

Mary Anne Eldred said,—At present I reside at Peckham, but in July last I was living with the last witness in the Vassall-road, Brixton. I had known the prisoner about twelve months at this time. I remember receiving the telegram that has been produced. I went out on that night about nine, and did not return until twelve at night, and on the following morning my landlady made a communication to me. I cannot say how long it was after this Saturday that I heard of the murder having been committed. I knew that Müller was going to America, and he wished me to go with him. He said he was going to see his sister. I remember some German gentlemen calling upon me to make some inquiries about the prisoner, and I afterwards made a statement to Mr. Beard, the solicitor. I have had the telegram ever since, but I did not give it up till a few days ago.

Cross-examined.—I cannot say how long it was after I received the telegram that my attention was first called to the subject, but I did not say any thing about it until a few days ago. I remember going out about nine o'clock on that night. My reason for knowing this is that it was the day on which I received the telegram. I don't know what time I had breakfast on that day, but I know that I did not get up until after eleven. I know that I went out on that night at nine o'clock, because I always go out at nine o'clock, and because of the telegram.

By the Jury.—I never noticed what kind of hat the prisoner wore.

Mr. Thomas Beard said,—I am the solicitor conducting the defence of the prisoner, instructed by the German Legal Protection Society. In consequence of having heard that Müller had stated that he went on that night to visit his sweetheart at Camberwell, I directed inquiries to be made, and about twelve or fourteen days ago the telegram that has been produced was handed to me.



In answer to a question put by Sergeant Ballantine, Mr. Beard said that it was under his judgment that those witnesses (Eldred and Jones) were not called before the coroner or the magistrate.

Charles Foreman said,—I am a conductor for Mr. Barwick, an omnibus proprietor. Our omnibuses run from Peckham Rye to Gracechurch-street. My omnibus generally leaves Camberwell-gate at five minutes to ten, and I arrive in the City in about five-and-twenty minutes. My previous journey commences at seven o'clock. I remember a passenger riding on one occasion by my omnibus who had a slipper on one foot at the ten o'clock journey, but I cannot recollect when it was. It was some time in the summer; I thought the passenger was lame, and he leant heavily on me as he got out.

This closed the case for the defence.

The Solicitor-General then addressed the jury upon this evidence, contending that the facts stated by the witnesses who came to support the *alibi*, rather strengthened the case for the prosecution, allowance being made for such discrepancies as to the time as might naturally be expected in the statement of witnesses whose attention had not been precisely directed to that point. He commented with some severity upon the extraordinary, and almost unintelligible evidence given by Mr. Lee.

The Lord Chief Baron then summed up the case to the jury, explaining to them with great lucidity the nature of the evidence with which they had to deal. After a few prefatory remarks the learned judge thus proceeded :—

There can be no doubt that Mr. Briggs, on the evening or night of the 9th of July in this year, was murdered. I say nothing of the manner in which that murder was committed, but I apprehend that of the fact there can be no doubt. I shall presently state to you the circumstances as they appear to have occurred according to the evidence, and I shall leave to you to form your own conclusion, recollecting the verdict is to be your verdict, and not mine. I shall call your attention to certain parts of the case. I shall give you some general directions as to what I think you should bear in mind in considering the question, and I shall leave you to form your own conclusion. It has been said, and said very truly, that this is a case of circumstantial evidence. Gentlemen, it is so. Almost every case that is tried in a criminal court is a case of circumstantial evidence. I apprehend that circumstantial evidence means this,—where the facts stated do not directly prove the actual crime, but lead to the conclusion that the prisoner committed that crime; and I believe that I am right in saying that the majority of cases that are investigated in criminal courts in this country are decided upon circumstantial evidence. It has been said that that evidence is better than direct evidence. In one sense that may be true; in another sense it is not true. If you have the testimony of witnesses of undoubted credit who saw a crime committed, why then you can hardly have better testimony than the direct evidence of some person who saw the fact, and can depose to the crime, and can depose to the crime as having witnessed the commission of it. But, undoubtedly, where there can be any doubt about the veracity or honour of the witnesses, indirect evidence, coming from different distances and remote quarters, but all tending to the same end, has a force and effect beyond the testimony of more direct evidence. For direct evidence may be mistaken in various ways. There may be an error about the person. The witness may say he saw the prisoner do it, when he saw another person do it who was like him. He may give a character to the commission of a crime which really does not belong to it. But indirect testimony of a number of facts, supposing that you believe them—for that will be the great

question—all concurring to the same point, is free from the objection that there has been either perjury, or misrepresentation, or mistake. Now, gentlemen, there is another matter upon which I wish, before I go into the case, to address you, and that is upon the degree of certainty with which you ought to give your verdict. I collected from my brother Parry's address that he suggested to you that you ought not to pronounce a verdict of Guilty unless you were as satisfied of the guilt of the prisoner as if you had seen him do the act, and you yourselves witnessed the completion of it. Gentlemen, I think that is not the certainty which is required of you to discharge your duty to the oath you have taken, to the country to which you belong, or to the prisoner whose safety is in your hands. I have heard the late Lord Tenterden frequently lay down a rule which I will pronounce to you in his own language:—"It is not necessary that you should have a certainty which does not belong to any human transaction whatever. It is only necessary that you should have that certainty with which you would transact your own most important concerns in life." No doubt the question before you to-day, involving as it does the life of the prisoner at the bar, must be deemed to be of the highest importance; but you are only required to have that degree of certainty with which you decide upon and conclude your own most important transactions in life. Gentlemen, to require more would be really to prevent the repression of crime, which it is the object of criminal courts to effect. Now, gentlemen, I think the mode of investigating this case on your part should be this. Take the facts that are proved before you, separate those which you believe from those which you do not believe. Take those which you are satisfied you can confide in, and all the conclusions that naturally and almost necessarily result from those facts you may confide in as much as in the facts themselves, and whatever may be the conclusion they may lead you to, whether on the one side or on the other, that conclusion I think you may rely upon as a safe and just one. The case on the part of the prosecution is the story of the murder of Mr. Briggs, told by the different witnesses, who unfold the circumstances one after the other according to their occurrence, together with the gradual discovery of some apparent connexion between the property that was lost, and the possession of it by the prisoner at the bar. The case on the part of the prisoner I collect to be threefold. In the first place my brother Parry says, "You have not satisfactorily made out the guilt of the prisoner. There are links wanting in your chain. Some of the supposed links are broken or imperfect. You have substituted imagination for fact, probability for certainty, and, were I to call no witnesses (so I understood my brother Parry to say), the prisoner would be entitled to a verdict of Not Guilty." Gentlemen, that issue, no doubt, requires your special attention, because it is very much upon that issue that the others are to be determined. There can be no doubt if the case on the part of the prosecution does not bring home to your minds a satisfactory conclusion, upon which you can say that, acting upon your oaths, you believe the prisoner guilty, the prisoner is undoubtedly entitled to be found not guilty. The next point, I think, in the defence was this—that the prisoner was unable to do it; that he was not of a stature and strength competent to the task that apparently was performed. That, no doubt, if the prisoner at the bar were a sickly young man under age, and apparently possessed of no strength, would be an argument in his favour. If you believe he was incompetent; if you think he could not have done what is imputed to him, of course, if he could not have done it—then he did not, and then he is entitled to be found not guilty. The third line of defence is an *alibi*. Gentlemen, that requires a word or two from me before I proceed to the particular facts of the

case. Upon the whole case of the prosecution if you entertain any reasonable doubt, if you do not come to a satisfactory conclusion, the prisoner is entitled to be acquitted. But if you do come to a satisfactory conclusion upon the case for the prosecution, you are then met by an *alibi*, and I think the *alibi* is then to be weighed in the scale against the case for the prosecution. I should say, to explain precisely the view I wish to bring before you, if on the whole case of the prosecution you entertain any serious doubt, you ought to acquit the prisoner. But where an *alibi* is propounded that is not to be thrown into the same scale. Then it becomes your province and duty to examine the *alibi*, and to decide between the case for the prosecution and the *alibi*. All the facts brought before you on the part of the Solicitor-General form the case for the prosecution, and ought to be weighed duly. The facts on the part of the prisoner by which the *alibi* is supported should be weighed with the case for the prosecution, and you are called on to determine which you believe. It is a case where both cannot be true, and it is for you to decide to which the truth belongs. Now, gentlemen, having stated generally what I believe to be the case on the part of the prosecution, and the case on the part of the defence, I think it right to draw your attention to the facts themselves. Gentlemen, it appears that Mr. Briggs left London on the 9th of July (Saturday). After having dined with his niece's husband, Mr. Buchan, he proceeded by an omnibus to some place near London-bridge, where he got out and went to a train at Fenchurch-street station, to take him through Bow to Hackney, or Hackney Wick, as it is called. A Mr. Lee said he saw him at Bow. I introduce that because it is part of the general history of the case. There is no doubt that Mr. Briggs left Fenchurch-street station, and was murdered before he reached Hackney Wick; but it is so highly improbable that any one would attempt to murder him between Fenchurch-street and Bow, that you may easily believe Mr. Lee's account. Whether he was there with one or two persons is a matter for your consideration, after the statement made by Mr. Lee that he did not think it his duty to communicate with the police as to the circumstances, and that he was partly moved to that by his dislike of the "bother" incident to a prosecution. It is difficult to speak of such a frame of mind with approbation,—that any man who had nothing to do but to collect his rents and live on his income, should have been deterred in coming forward in such a case to state what he knew from a consideration of what he designated "the bother of prosecution." I must say that has thrown general discredit upon his views and motives, and if the prosecution had known what Mr. Lee had to say in examination and cross-examination I am not surprised that they did not call him, and I think they were quite right in not calling him. Mr. Briggs was there. Mr. Briggs did not arrive at Hackney Wick. The carriage that went from Fenchurch-street to Hackney Wick was taken back without being turned round. That accounts in part for what appears on the depositions and in the evidence before the Coroner, for what on going down was the near side would, in returning, be the off side, and the off side would be the near side. Mr. Briggs was found about one-third of the distance from Hackney Wick. The body had been some way removed from the carriage to the "six foot way," and there he was found, with his head towards Hackney-wick, and his feet towards London. Gentlemen, I think it right to take some notice of that, because it is possible that some of you may have remarked the circumstance as well as myself. The head pointed towards Hackney Wick. The consequence of that is that his feet must have touched the ground first. Probably all of you are aware that if a man were thrown out head foremost from a carriage, and his head touched the ground, his body would go forward with the



velocity of the carriage, and his head would go towards London, and his feet towards Hackney Wick. On the other hand, if he was put out feet first, or if he jumped out and alighted on his feet, the effect of that would be to stop the feet, his body would go forward with the velocity of the carriage, and his head would be smashed immediately on the ground; and if there was a stone it would produce effects quite as powerful as if he were thrown out head foremost. I think it right to mention, in the event of any one of you remarking on this fact, that it makes no difference in the charge against whoever it was that committed the murder; for it is plain that before the body was removed in any way, either by himself or the murderer, he had received several desperate wounds. According to the medical testimony there was more than one fracture of the skull, and I think it right to state that, in point of law, whether Mr. Briggs had been struck and then stunned by the blow, so as to be unable to call out, or, believing that he might be got to the door of the carriage, and then driven out by force, or the fear produced by the violent action of his assailant, it would be equally murder if his death were entirely owing to his jumping out on his feet, and his meeting with that desperate wound which severed the ear, and drove in part of the skull. Mr. Briggs was examined that evening, the carriage was examined that evening, and there were the articles that Mr. Briggs had not lost. It is unnecessary to enumerate them. The only alteration with respect to the property was that the watch and chain were gone. That some struggle had taken place in the carriage was evident, from the fact that a link of the chain was found crushed down in the mat of the carriage. The hat he wore was gone, and another hat was left in its place. For some days nothing was known about it; but, according to the evidence, Mr. Death was applied to not many days after, and was asked if he had exchanged a chain. Mr. Death said "Yes;" and he gave in exchange for it another chain (the one produced) and a ring with a white stone and a head on it. At that time it was also discovered that there was some question about a hat. Every effort was made to discover the person who was connected with the transaction. It was found to be the hat of the prisoner at the bar, and officers were sent out to anticipate his arrival in America. On his arrival there his box was searched, and the watch was found in his box. In that box also was found a hat, and when that hat was brought back to this country inquiry was made respecting it. At first it was said the hat was not the hat of Mr. Briggs, because it was an inch or an inch and a half too short; but when it came to be examined it was found to have been cut down. Then arises the question with respect to the watch and chain and hat Mr. Briggs wore, and the hat supposed to be the prisoner's. Gentlemen, there is no evidence, as was well observed by my brother Parry, to show that that is the hat Mr. Briggs wore on that night. There is certainly no direct evidence, but it does not appear that there was any other hat he was in the habit of wearing. It is for you to say whether it is the hat he ordinarily wore. Now, gentlemen, the history and the details of this case involve three matters in reality, though at first it occurred to me there were four—the watch and chain, and the hat Mr. Briggs lost that night, and the hat that was found in the carriage in place of Mr. Briggs's hat. These are three matters the inquiry into which constitutes the case for the prosecution. Gentlemen, these are not three links of the same chain, and do not make the mistake which it appears to me the remarks of my brother Parry rather tended to lead you into, that if he broke one link of the chain he got rid of the prosecution. That is not true. There are three separate and distinct links, having each of them a separate history, and a failure in the history of one does

not in the slightest degree affect the conclusion to be drawn from the history of the others. For instance, if there had been no trace whatever of either of the hats—if the hat alleged to be the hat of Mr. Briggs had not been found in the box of the prisoner, that could not have diminished the weight of evidence with respect to the other hat and to the watch and chain. They all stand on separate and distinct grounds apart from each other, and if any one of them is made out to your satisfaction—that is, if the result of the evidence satisfies you that the prisoner at the bar was on the Monday morning in possession of the watch and chain, then you are to say whether he has given a true account, or—for this is the question—whether he has given a satisfactory account. Now, with respect to the watch and chain the evidence seems to be this:—On the Monday morning, about ten o'clock, he exchanged Mr. Briggs's chain for a chain which he took of Mr. Death, the jeweller. That chain he pawned on the Wednesday. But then you will say, what became of the watch? Why, when he was apprehended off New York he had the watch in his box; it was found there. He said it was his watch, and that he had had it for two years. It will be for you to say whether that is evidence that both the watch and chain were in his possession. How did they come into his possession? I shall presently ask that question, and call the attention of my brother Parry to the way in which I understand he put it; because I am desirous that there should be no mistake, and I am desirous not to speak ambiguous or doubtful language, but to express myself with perfect plainness, and if I am wrong I shall be glad to be corrected. You will have to ask yourselves whether the prisoner had the watch and chain on the Monday morning. The evidence is, that he separated them, if he had them,—that is, that he took the chain to Mr. Death, that he there had it valued at 3*l.* 10*s.*, that he declined to take a chain of the value of 3*l.* 15*s.*, which would require a payment of 5*s.*, and that he took a chain of the value of 3*l.* 5*s.*, and took a ring instead of the 5*s.* That is the evidence, and I must here again say it is for you to say whether you believe that part of the case or not. Unless you believe it, you ought not to act upon it; but if you do believe it, you ought to follow it to any fair and reasonable conclusion to which it leads. When he had got the chain he went to the house of a friend and showed it, spoke of it, and mentioned the price he had given for it. He said he had bought a ring at the same place, and that he had bought both of them at the docks. There is no evidence that he said any thing to any body about the watch. None. He gave different accounts of the ring. He described himself as buying the ring along with the chain. It is for you to say whether there can be any doubt that he got the ring from Mr. Death. He stated to one person, according to the evidence, if you believe it, that he had the ring sent to him by his father; and in America, when he was questioned about the ring, he said he had bought it at a shop in Cheapside, very probably meaning that he got it at Mr. Death's. Gentlemen, you will have to consider what is the reasonable conclusion to be drawn from these circumstances. He never has said on any occasion that he bought the watch and chain at the docks. What he said in America was that he had had the watch two years, which is quite inconsistent with his buying it at the docks, and the statement of his counsel to Mr. Tanner appears to me to amount to nothing. The statement here in London was that he bought the chain and the seal, he said nothing about the watch, at the docks, speaking of the chain which he had undoubtedly exchanged for the original chain at Mr. Death's. I think it my duty to point these matters out to you. I come now to the question as to which I want to call the attention of my brother Parry. My brother Parry

suggested that there is no evidence that he ever said to any body until he got to America that he bought the watch at the docks.

Baron Martin (referring to his notes).—Inspector Tanner says, “I did not hear him say he had purchased the watch and chain at the docks. His counsel suggested that before the magistrates at New York.”

The Lord Chief Baron.—I want to call my brother Parry’s attention to whether I am strictly stating what I want to convey to your minds. What I understood my brother Parry to state was this, that he bought the watch and chain at the docks, and that, very likely from the price he paid, he was quite aware that a transaction of that sort could not be perfectly right. I understood my brother Parry to say that any false statement or awkwardness about his communications in reference to that matter might be explained by his consciousness that he was doing wrong. I call attention to it in order that we may understand distinctly what was intended to be conveyed to your minds—namely, that instead of committing the murder on Saturday he bought on Monday morning at the docks the watch and chain from the man who had committed the murder, or from somebody connected with him. That is his account of it. A robbery being committed on Saturday night, and the stolen articles appearing on the Monday morning, that is certainly not so near as if they were disposed of on the following morning; but, for all practical purposes, and for all honest dealing, Monday morning is the same to Saturday night as Tuesday morning is to Monday night. It will be for you to consider how far you can accept, as an apology for being in possession of these things, the statement that he was aware there was something wrong about his having bought them, and that he therefore gave excuses and made awkward statements about them. That is not the only thing. The remarkable matter about this case is that every part of the change of property, whether the loss of the watch and chain and the hat by Mr. Briggs, or the hat left in the railway carriage by somebody, points with a certain degree of strength, more or less, of which you only are to judge, to the prisoner at the bar. You will next have to consider the question of the hat. Mr. Briggs’s hat is proved to be Mr. Briggs’s hat, and, so far as I could collect, my brother Parry did not deny the probability that it was the hat.

Mr. Sergeant Parry.—I admitted that it was a hat sold by Mr. Digance, but not the hat of Mr. Briggs.

The Lord Chief Baron.—Of course, my brother Parry could not admit any thing in a case like this; but the hatter who made it said, “I made it for Mr. Digance,” and Mr. Digance says, “I recognize this hat as far as I can as having been made to the order of Mr. Briggs.” He speaks of it in all respects as being the hat. He says it has been cut down, and in a manner in which no hatter would have cut it down, and then he points out the peculiarities, which I do not think it necessary to dwell upon. The hat on being examined turns out to have been sewed in a manner which is said not to be the practice of regular hatters, and apparently not the practice of second-hand hatters. I do not think it necessary to call your attention to the evidence of the two hatters. One of them said certainly he should not have done so and so, and he did not think it was usual. Another of them demurred to another part of the manufacture. It is for you to say whether, on the whole of the evidence, it is or is not made out to your satisfaction that that hat was the hat furnished to Mr. Briggs. A remark made by the Solicitor-General is true enough. The prisoner at the bar has had—and one is very glad that he has had—the protection of a patriotic society, established



for the protection of their countrymen, and one would think that no expense was spared by them to gain all the information that could be obtained. It is for you to consider whether half the industry and diligence which has resulted in the production of those old hats that we saw last night—I forget now how many there were—it is for you to consider, whether, if that diligence had been applied in finding out where the prisoner bought this hat, which was bought, certainly, according to his own account, not more than a month from the date of the murder, half that diligence would not have found out the very man who sold it to him, if any body did sell it, and the very man who altered it, if, in fact, any body did alter it but himself. That is a fact you will have to put to yourselves and decide for yourselves, but it is a point in the case that appears to me to be worthy of your consideration.

Mr. Sergeant Parry.—Mr. Digance, at the close of his evidence, in answer to me, said, “I will not swear that this is the hat I sold to Mr. Briggs.”

The Chief Baron.—I dare say he would not swear that is the one; but the question is whether he believed it was, and whether he furnishes sufficient materials for you to believe it was. A man may not swear to a fact of which he is not thoroughly satisfied; Mr. Digance could not be certain in the sense in which I am certain I am addressing you, or in the extreme sense asked in a court of justice. Well, then, you are to say how far the story of the hat leads you to the conclusion that the hat found in the box belonging to the prisoner at the bar was the hat of Mr. Briggs. With respect to the hat left in the railway carriage, undoubtedly it was a matter of some surprise at first. The foreman said, looking to the pattern of the lining, there were not more than three hats made with it, and Mr. Walker, the hat-maker himself, said, “I had a number of samples from Paris; there were only two or three of this pattern, and certainly not more than one hat, or two at the most, were made with this particular lining.” It is for you, gentlemen, to say what is the conclusion you draw from that. Mrs. Repsch said Müller’s hat had a remarkable lining, and so the fact appears to have been, she never could have seen its like. But where these different points of the case lead independently of each other to the same conclusion, it is for you to say how far the union of more than one gives strength to that conclusion—how far it is better if several of them unite together in a conclusion, even though not so perfect, and lead to a result more certain on the whole. There is a case reported which will illustrate what I mean: it occurs in Mr. Starkie’s book on Evidence. A gentleman was robbed of his purse in a crowd. He gave instant information. Some notorious character was apprehended, and the purse was found upon him. The gentleman was asked whether that was his purse. He said he believed it was. The purse was turned out. It contained five or six pieces of coin. He was asked if he could swear to the first. He said, “No.” He was asked if he could swear to any one of the pieces of money. He said, “No, I cannot.” He was told if he could not swear to the property the prisoner must be acquitted. He was again asked, “Are you convinced that is your purse and money?” He said, “I am.” He was asked why. “Because,” he said, “the purse happened to contain five or six separate pieces of money, and although I could not swear to any individual coin—there was a 7s. piece, even then not very common, a half-crown piece, and others (enumerating the coins)—yet I cannot imagine that any one else had a purse exactly like this, with these several pieces of money in it.” You will appreciate the value of that kind of identification—not identifying each piece, but identifying the collection. “I swear to my purse,” said the gentleman, “with these separate pieces of

money, which I perfectly recollect. Though I cannot identify each individual piece I can identify the whole, and the conviction on my mind is that it is my property." I forbear to state what the conclusion was that was drawn in that particular case, but it will illustrate what I mean when I say that if part of the case leads to one conclusion, and another part of the case, though imperfectly, leads to the same conclusion, it adds strength to that conclusion; and so a third point, though not perfectly made out, still adds strength to the general case that is involved in a comparison of these different facts and circumstances; and that is the true value of circumstantial evidence. If you believe the facts that lead to the conclusion, you are bound to go on with that conclusion to the end. Well, gentlemen, I shall not trouble you further with reference to the hat which was found in the carriage, the hat which was found in the prisoner's box, or the watch and chain. I have already made a remark on Lee's testimony. I have told you distinctly that if you believe, from the appearance of the prisoner, and from what you know of his history and habits, that he was incapable of doing the deed, of course he is entitled to your verdict. It is said he was lame on the Saturday night, but according to the evidence he was walking about from six to nine o'clock on the night following that of the murder, and it is not stated that he walked lame or had to sit down in consequence. I now, then, come to the last defence made—the *alibi*. That is so entirely a matter for your consideration that I shall say very little about it. You have had the evidence of Mary Ann Eldred, whom it is impossible to hear or see without great compassion for the situation in life which she has filled. Her evidence consisted, certainly, very much more in saying what she could not than in saying what she did recollect. But she stated that she went out at nine, and that Müller called about half-past nine o'clock. No doubt that is the case of the *alibi*; that was what she came here to say. She said she knew Müller was going to America, and it is fair to say that his going to America was perfectly well known—that is, that he had the intention of going. And she said, "He told me that if I did not go with him he would not stay more than six months." You will have to say whether her account is at all a satisfactory one, and how far you believe that it makes out an *alibi*. With respect to the witness Jones, it is impossible to speak of her or her husband with the same degree of forbearance. With respect to the husband, I think a man engaged through the medium of his wife in a transaction of that sort is about the most infamous of mankind. How far the wife is some shades better it is for you to determine. But really the question comes to this—and it is for you to consider—whether the whole movements of the prisoner spoken to on the night of the murder are not, according to the argument of the Solicitor-General, entirely reconcileable with the case for the prosecution. Between seven and eight o'clock the prisoner was at Repsch's. He then left, taking his boots with him, saying he was going to Camberwell. There was plenty of time for him to have gone to Camberwell, and to have returned, though not in the same omnibus with Mr. Briggs. He would arrive in the City in time to go by the train from Fenchurch-street. These, I think, are nearly all the circumstances to which it is necessary for me to call your attention. And now, gentlemen, I have endeavoured to discharge my duty. It remains with you to discharge yours. I must again tell you that the verdict is to be yours. It is for you to decide the great and important question of the prisoner's guilt or innocence. If I have in any part of my address to you intimated any opinion on that subject, I have desired to express none. I have called your attention to circumstances which I think you ought to consider; but as far as I could I have endeavoured to

avoid the expression of any opinion of the kind. It is not for me to decide ; it is for you to deliberate and decide according to the best of your judgment, and according to your conscience ; and if you have collected any opinion as to any part of the case from what may have fallen from me, unless in as far as it goes along with your entire and deliberate judgment, I beg of you, gentlemen, to treat it as if I had said nothing on the subject. The verdict is to be yours. The law and the constitution have given to twelve men, sworn to act according to the evidence, the duty of finding the verdict of Guilty or Not Guilty. In deliberating upon that verdict, I doubt not, as advised by both learned counsel, you will act with impartiality and fairness ; you will remember the duty you owe the prisoner, to deem him innocent till he is proved guilty. You will not forget the duty you owe the country and society at large, if the evidence leads you to a conclusion of guilt, fearlessly to act upon it, according to your conscience, and find that verdict which you believe to be the true one. And may the God of all truth guide your hearts and judgments unto that which shall be a perfect and satisfactory verdict according to the truth and justice of the case.

The jury retired to consider their verdict at a quarter to three o'clock, and after an absence of fifteen minutes returned into court, finding the prisoner *Guilty*.

Being called upon to say if he had any thing to urge why sentence of Death should not be pronounced, the prisoner made answer : " I have nothing to say before judgment."

Mr. Baron Martin having put on the black cap, addressing the prisoner, said,—Franz Müller, you have been found guilty by the jury of the murder of Mr. Briggs, and it is no part of our duty to express generally any opinion with respect to the verdict of the jury. It is their province to decide upon your guilt or your innocence. But it is usual for the Judges to state, in passing sentence, if they entirely concur with the verdict, and they do so for two reasons. It is satisfactory if the opinion of the Judges concurs with that of the jury, and I am authorized by the Chief Baron to state, and I state on my own behalf, that we are perfectly satisfied with the verdict, and had I been on the jury I would have concurred in it. And there is a second reason for the statement, in order to remove entirely from your mind any idea of the possibility that you will live in this world much longer. Within a short period you will be removed from it by a violent death. I therefore beseech you avail yourself of what I have no doubt will be afforded you—the means, so far as you can, of making your peace with your Maker,—and be prepared to meet that fate which very shortly awaits you. I forbear going into the particulars of the case ; but there are a variety of circumstances in it which, if the evidence had been gone into more minutely, would have more and more tended to establish your guilt. The whole evidence as to your movements during the day of the murder points to that conclusion. You left the house of Blythe about eleven. You continued at the house of Repsch till between seven and eight, when, according to the testimony of a witness who was evidently favourable, you started at a quarter to eight, telling him you were going to Camberwell to see the young woman Eldred. You went there. It may be that Mrs. Jones supposed she was telling the truth when she says you were there after nine o'clock, but in my opinion she was in error, and from the time you left the City it was earlier ; but you still had time to return by omnibus towards the Fenchurch station before the train started, where, observing Mr. Briggs, probably exhibiting this watch and chain, you formed the determination to rob him. There are other circumstances which tend to the same conclusion. What is your history during the following week ?



You exchange the chain of Mr. Briggs for another at Mr. Death's. You immediately proceed to pledge that chain in order to receive a sum of money upon it. Having done so, you take out of pledge your own watch and chain, and, having got them, you proceed to pledge them again at another shop for a higher sum and sell the ticket. If the real truth were known, I have no doubt it would be found that, moved by the devil, and for the purpose of getting money to go to America, you robbed Mr. Briggs of his watch and chain, and with these contrived, with assistance from your friends, to get sufficient money to pay your passage. That, there can be little doubt, is the true history of the transaction. I refer to these facts for the purpose of removing from your mind all idea of there being any possibility of a commutation of sentence. I must say, after listening to all the evidence which has been adduced, I feel no more doubt that you committed this murder, than I do with reference to the occurrence of any other event of which I am certain, but which I did not see with my own eyes. The sentence I have now to pass on you is not that of the Chief Baron; it is not my sentence; it is the sentence which the law of England imposes on all persons found guilty of murder, and that is, that you be taken back to the prison whence you came, and thence to the place of execution, and there be hanged by the neck until you are dead, and that your body, when dead, be taken down and buried in the precincts of the prison where you were last confined before this sentence of execution was passed upon you; and may the Lord have mercy on your soul.

The prisoner then, with great firmness and self-possession, said,—"I should like to say something. I am, at all events, satisfied with the sentence which your lordship has passed. I know very well it is that which the law of the country prescribes. What I have to say is that I have not been convicted on a true statement of the facts, but on a false statement."

The firmness of the miserable man here gave way, and he left the dock bathed in tears <sup>1</sup>.

<sup>1</sup> For an account of the execution of Franz Müller, see the Chronicle, *ante*.

# APPENDIX.

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## PUBLIC DOCUMENTS AND STATE PAPERS.

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### I.

#### AFFAIRS OF DENMARK.

*Summary of the Deliberations of the Conference of London, from the 25th of April to the 22nd of June, 1864. From Papers presented to both Houses of Parliament.*

AT the invitation of the Government of Her Britannic Majesty, the Plenipotentiaries of the Courts of Austria, Denmark, and France, of the Germanic Confederation, of the Courts of Prussia, Russia, and Sweden and Norway, met in Conference in London with the object of coming to an understanding respecting the arrangements to be made by mutual agreement in order to re-establish peace between Denmark and Germany.

The first meeting took place on the 25th of April.

In order to come to a thorough understanding of the relative situation of the belligerents at this period, it is sufficient to cast a glance at the map, and to recall in a few words the events which had preceded the opening of the Conference.

The Duchy of Holstein had been in military occupation of the Federal troops, in virtue of a measure decreed by the Diet of Frankfort. This occupation, it must be stated, was effected without a blow being struck; King Christian IX. having resolved not to oppose by force of arms a measure taken by the Germanic Confederation, whose authority he was bound to recognize in the quality of Duke of Holstein.

In the month of February an Austro-Prussian army crossed the Eider to take possession of the Duchy of Schleswig, as a material guarantee for the execution of the engagements contracted by the Danish Government in 1851 and 1852.

After a courageous but unequal struggle, the Danish troops fell back as far as the north of Jutland.

A combat, long undecided, was still going on before the fortified position of Düppel. It was carried by the Prussian troops on the eve of the day fixed for the opening of the Conferences.

At the same moment the Danish garrison, abandoning voluntarily the fortress of Fredericia, delivered the key of the position of Jutland to the allies.

With the exception of the northern extremity of this province, to the north of the Lime Fiord, all the continental portion of the Danish Monarchy was thus in the power of the allies, at the time when the Plenipotentiaries were about to enter into deliberation in order to arrive at the re-establishment of peace.

Conquered on land, Denmark maintained her superiority on the sea. Her navy blockaded the ports and captured the merchant-vessels of the German Powers.

In reprisal for the losses sustained by their commerce, the allies levied on the inhabitants of Jutland a contribution of war estimated at 650,000 crowns, or 90,000*l.* sterling.

Such was the state of things on the 25th of April.

The first care of the Plenipotentiaries of Great Britain was to invite the belligerents to consent to a suspension of hostilities; a preliminary measure equally called for by the interests of humanity

and of the negotiations confided to the care of the Conference.

This proposal, made by Earl Russell in the meeting of the 25th of April, was unanimously supported by the Plenipotentiaries of France, Russia, and Sweden.

A prolonged discussion took place as to the simultaneous suspension of hostilities by land and sea. The Danish Government at first insisted on the maintenance of the blockade, which they considered as an equivalent for the occupation of the Duchies by the allied troops.

The insufficiency of the powers with which the Plenipotentiaries of the belligerent Powers were furnished, made itself felt for the first time during this debate. The necessity of having recourse for fresh instructions to Copenhagen, to Berlin, and to Vienna, has occasioned delays which have interrupted the labours of the Conference in a manner much to be regretted as regards the success of its deliberations.

Even the rapidity of telegraphic communication was found insufficient to overcome this difficulty. This will be admitted when it is known that the route for direct correspondence being closed to the Danish Plenipotentiaries by the state of war, they were obliged to correspond with their Government by the route of St. Petersburg, Lapland, and Stockholm.

These circumstances explain how it was that the question of the suspension of hostilities, brought forward on the 25th of April, was not settled till the third sitting, on the 9th of May, after a fortnight's loss of time.

We will shorten the account of this long debate. In the opinion of the Representatives of the neutral Powers it would have been preferable to conclude a regular armistice of a certain duration, in order to leave all necessary latitude for negotiation. The Courts of Prussia and Austria declared themselves ready to consent to this proposal. The Danish Cabinet would not adhere to it; for reprisals by sea being the only measures within the power of Denmark, it is easy to understand that the Danish Plenipotentiaries did not wish to deprive their Government of this arm during too prolonged a period, above all in the Baltic, where the navigation is of short duration.

We point out this consideration in a spirit of strict equity, however injurious the restrictions imposed by Denmark on the suspension of hostilities might be to the negotiation itself.

The Danish Government limited it to four weeks, namely, from the 12th of May to the 12th of June.

Protocol No. 3 determines the conditions

of this truce. They may be resumed in these terms:—

“Hostilities shall be suspended by sea and by land, from the 12th of May, for the space of a month;

“On the same day Denmark shall raise the blockades;

“Prussia and Austria engage, during the suspension of hostilities, not to impede, in the parts of Jutland occupied by their armies, either the commerce, or the communications, or the regular course of the administration; not to raise contributions of war, but, on the contrary, to pay for all that may be furnished to the German troops, who shall simply continue to occupy their present strategical positions;

“The belligerent parties agree to preserve their respective military positions by sea and land, and engage not to reinforce them during the continuance of the suspension of hostilities;

“Official notification shall be made to the Commanders of the belligerent forces by sea and land by their respective Governments.”

This notification did not arrive in time to prevent the naval combat which took place at a short distance from the Island of Heligoland. But the cannon-shots exchanged between the respective forces were the last from that to the present time.

The Conference has no cause to regret its having offered to the belligerents, and procured for commerce, this interval of security and repose.

After having obtained this first result, the Plenipotentiaries of Great Britain proposed to proceed in the next sitting to the discussion of the preliminaries of peace.

With this object, Lord Russell, on the 12th of May, after having referred to the adhesion of the Courts of Vienna and Berlin to the proposal to assemble in Conference in London, in order to devise means for the restoration of peace, recognized that it belonged to the Plenipotentiaries of Austria and Prussia to explain the motives which induced their Governments to occupy a large portion of the Danish territory, and to make known the intentions of their Courts with a view to the re-establishment of a solid peace.

In reply to this appeal, the first Plenipotentiary of Prussia thought it his duty to declare that the German Powers, before entering into a discussion on the conditions for the re-establishment of peace with Denmark, think it right to observe that they consider “the ground of discussion as entirely free from any restriction resulting from engagements which



may have existed before the war between their Governments and Denmark. Whilst thus claiming for themselves full liberty of discussion, and the power of making such proposals as they may consider to be of a nature to ensure a solid and lasting pacification, the German Governments do not mean to exclude any combination which may tend to attain that object, without prejudicing acquired rights."

The explanations which were given by the Plenipotentiaries of the German Courts on this subject in the sittings of May 12 and 17 clearly brought to light a complete divergence of opinion existing between all the members of the Conference with regard to the validity of the engagements resulting from the Treaty of London of 1852.

The Plenipotentiaries of Great Britain maintained the respect due to the reciprocal obligations, contracted by all the Powers who were parties to that treaty. They observed that though, strictly speaking, war may put an end to a treaty between two Powers who have become belligerents, yet it cannot release those Powers from their obligations to the other Powers who joined in the signature of the same treaty. They showed that before destroying this act that decision ought to be justified by satisfactory reasons. In short, before abandoning an agreement, it ought to be understood what was intended to take its place.

The Plenipotentiary of Russia expressed himself exactly to the same purpose. "He maintained that before abandoning a treaty which has been ratified by the Powers who signed it in the general interests of Europe, it would be necessary to bring forward reasons which should be generally agreed upon as satisfactory. These reasons must be very grave ones. The Treaty of 1852 was concluded with the object of consolidating the peace of the North, and preserving the balance of power in Europe. It was concluded not only between the Powers actually at war, but also between all the Powers who were parties to it. Their Representatives, now met in Conference, are assuredly at liberty to exchange their ideas as to new combinations to be adopted, provided that they are of a nature to offer guarantees for the peace of Europe equivalent to those on which the system of the balance of power now rests."

The Minister of Sweden, while adhering to the line of argument of the Plenipotentiary of Russia, observed that, as the Plenipotentiary of one of the Powers who signed the Treaty of 1852, he must maintain that basis of negotiation until it should have been proved that it was in-

sufficient to enable them to attain the object of the present Conference; that, before abandoning it, it was at least necessary to be acquainted with the exact nature of the arrangements which it was proposed to substitute for it.

The Ambassador of France, animated by the same conciliatory disposition, asked the German Plenipotentiaries if, in case the arrangements of 1851 and 1852 should not admit of being maintained, it would not be possible, in their opinion, to substitute for them fresh combinations, without departing from the circle traced out by the stipulations of the treaty.

M. de Quaade maintained that his Government considered the Treaty of 1852 as being still in force. Baron de Beust observed that its validity had never been recognized by the Confederation.

In the presence of such divergent doctrines there was little expectation of being able to arrive at a result at all in conformity with the thoughts of conciliation and peace with which Her Britannic Majesty's Government had invited the Cabinets to cause themselves to be represented in a Conference in London.

Nevertheless, however uncertain the hope of arriving at a satisfactory conclusion appeared from the beginning, the Plenipotentiaries of Great Britain, in entire accord with the Plenipotentiaries of the neutral Powers, did not the less persevere in their efforts to bring about an agreement between the two belligerent parties.

Animated by this desire, Earl Russell opened the sitting of May 17, by recalling the engagement entered into by Count Bernstorff to announce the bases of pacification which the Courts of Austria and Prussia proposed to submit to the Conference.

Protocol No. 5 sets forth the means which the German Plenipotentiaries considered as the best adapted to bring about a solid and durable pacification. To use the words of Count Bernstorff, "It is a pacification which assures to the Duchies absolute guarantees against the return of any foreign oppression, and which, by thus excluding for the future any subject of dispute, of revolution, and of war, guarantees to Germany that security in the North which she requires in order not to fall periodically into the state of affairs which brought on the present war. These guarantees can only be found in the complete political independence of the Duchies, and their close connexion by means of common institutions."

The Plenipotentiaries of the neutral Powers did not consider this programme as positive, clear, and satisfactory. They

deemed it necessary to invite the German Plenipotentiaries to bring forward their plan in a more precise form.

Count Apponyi replied, "that the proposal comprises the complete autonomy of the Duchies, with common institutions and entire independence in their political and administrative relations, in order to avoid the complications which have hitherto taken place. As to the question of the Succession it remains open, the Diet having only suspended its solution, without pronouncing on the rights of the King of Denmark."

The Earl of Clarendon could not refrain from observing, that the proposal of the German Plenipotentiaries was so vague, that no member of the Conference could understand its bearing.

The language of the Plenipotentiary of the German Confederation was more explicit:—

"He thought it right to remark that he had not joined in the proposal made by the Plenipotentiaries of Austria and Prussia; and that, although not directed to do so by his instructions, he cannot help affirming officially that the Diet will not consent to an arrangement which, even under an eventual or conditional form, would restore the union between the Duchies and Denmark."

What was to be concluded from the sum of these explanations? It resulted from them that the idea of the Courts of Vienna and Berlin was to make the Duchies entirely independent in political and administrative matters, to allow a dynastic tie to subsist between the Duchies and the Danish Monarchy, but to make that tie dependent on the decision which the Frankfurt Diet might give as to the validity of the titles of King Christian IX., in his quality of Duke of Holstein.

To complete the description of the merits of this plan, put forward in the name of Austria and Prussia, it must be stated that the Plenipotentiary of the Germanic Confederation did not feel justified in joining in it. Finally, that Minister affirmed that the majority of the Diet would refuse its adhesion to an arrangement which, even under a conditional form, would re-establish a union between the Duchies and Denmark.

These explanations did not enable the Danish Plenipotentiaries to give their assent to such a plan. They had no hesitation in declaring it entirely inadmissible.

This refusal put an end to the first combination proposed by the German Plenipotentiaries, with a view to the re-establishment of a solid and durable peace.

The sitting of the 28th of May opened with a second proposal brought forward by

the Plenipotentiaries of Austria and Prussia. This plan, still more unexpected than the first, had for its object to demand a complete separation of the Duchies of Schleswig and Holstein from the Kingdom of Denmark, and their union in a single State under the Sovereignty of the Hereditary Prince of Schleswig-Holstein-Sonderburg-Augustenburg.

Protocol No. 6 gives the reasons which determined the Ambassador of Russia to express his dissent, with regard to the proposition of the Plenipotentiaries of the German Courts to detach from the Danish Monarchy the whole of Holstein and Schleswig, and to place that State under a new dynasty.

In the first place, he said, by what right were those countries to be disposed of? They are occupied in fact by the allies. By right they do not belong to them.

In regard to the dynastic combination mentioned in the proposal of the German Courts, the Ambassador of Russia observed that it would prejudice a question which could not be decided alone, and which was not yet open for those Powers who considered the Treaty of London as binding. Further, in his opinion, the Prince of Augustenburg was not the only one who had claims to assert. When the question of the Succession of Holstein came to be opened, other rights would be entitled to serious examination. Especially the Grand Duke of Oldenburg would have just claims to assert. The Plenipotentiary of Russia considered it his duty to reserve them.

The refusal with which the Plenipotentiaries of Denmark met the plan proposed by the German Plenipotentiaries was expressed in the following terms:—

"If the Danish Government considered the proposal of the preceding sitting inadmissible, so much the more is it impossible for them to discuss this one."

Two combinations brought forward on the 17th and 28th of May had thus been, one after the other, rejected, without the negotiation having advanced a single step, while the suspension of arms was approaching its termination. In this state of things, the Plenipotentiaries of Great Britain thought that the moment had arrived when there should be no further delay in opening to the belligerents, the path which might lead them to an honourable arrangement. They recognized that unless the foundations of a solid and durable peace were laid, it was not for the neutral Powers to renounce the Treaty of London. Neither could they agree to a new arrangement insufficient for Germany or unsatisfactory to Denmark. Finally, the Plenipotentiaries of Great Britain showed that they were deeply imbued with the con-

viction that, on the one hand, respect must be paid to the national sentiment with which the Danes know how to maintain the independence and honour of their ancient Monarchy, and, on the other, fair satisfaction should, as far as possible, be given to the sympathies which from time immemorial have united the populations of German origin who inhabit the two banks of the Eider.

Lord Russell sought in these elements of conciliation and concord, the means of effecting between the belligerents the desired reconciliation. With this object he read the following declaration :—

“The Plenipotentiaries of Great Britain have seen with deep regret, that the last sitting of the Conference has not resulted in the establishment of the bases of an agreement between Germany and Denmark.

“In our opinion the elements of a solid and durable peace can neither be found in the engagements of 1851, which during twelve years have borne no other fruit than dissensions and troubles, nor in the analysis of an obscure and complicated law.

“But unless it is possible to lay down the bases of a solid and durable peace, it is not competent for the neutral Powers to renounce the solemn treaty by which they recognized the integrity of the Danish Monarchy, neither could they concur in a new arrangement which would be insufficient for Germany, or humiliating for Denmark.

“The elements of a solid and durable peace must therefore be sought elsewhere.

“For many years a lively sympathy for their brethren who are subject to the King of Denmark has animated the Germans of the Germanic Confederation. The Danes, on their side, are inspired by the love of independence, and the desire of maintaining their ancient Monarchy. These sentiments on either side deserve the respect of Europe.

“In order to prevent a future contest, and to satisfy Germany, it would be necessary, in our opinion, entirely to separate Holstein, Lauenburg, and the southern part of Schleswig from the Danish Monarchy.

“To justify so vast a sacrifice on the part of Denmark, and to maintain the independence of the Danish Monarchy, it is desirable, in our opinion, that the line of the frontier should not be drawn more to the north than the mouth of the Schlei and the line of the Dannewerke.

“It is also necessary for the security of Denmark that the Germanic Confederation should not erect or maintain fortresses,

nor establish fortified posts in the territory ceded by Denmark.

“An equitable arrangement of the public debt and the renunciation by Austria, Prussia, and the Germanic Confederation of all right of interference in the internal affairs of Denmark, would serve to complete the friendly relations between Germany and Denmark.

“A question remains which would not form the object of the Treaty of Peace, but which interests Germany, and cannot be passed by in silence. In the opinion of the Plenipotentiaries of Great Britain it should be understood that the future destiny of the Duchy of Holstein, of the Duchy of Lauenburg, and of the southern part of the Duchy of Schleswig which will be annexed to the Duchy of Holstein, shall not be settled without their consent.

“If the King of Denmark consents to the sacrifices of territory which are required of him in the name of peace, it would be just that the independence of his Kingdom should be guaranteed by the great European Powers.”

This plan, which had been previously communicated to the representatives of the neutral Powers, received their most cordial support in the Conference.

The adhesion of the Plenipotentiary of France was expressed in the following terms :—

“The ideas which the Principal Secretary of State has just expressed, with regard to the principles according to which the Dano-German affair should be settled, are in full accordance with the views which I was myself instructed to maintain in the Conference. After having studied the causes of the present conflict, my Government have remained convinced that they were attributable to the improper division of the different groups of population of which the Danish Monarchy is composed, as well as to their incessant rivalries, and that it was from that moment necessary to seek for the bases of an agreement in new arrangements more in harmony with the national sentiment of the two races. The arrangement of which the Principal Secretary of State has pointed out to us the bases, consisting in dividing, as far as possible, the two nationalities in Schleswig, incorporating the Danes with Denmark, and uniting the Germans more intimately with Holstein and Lauenburg, could not fail therefore to receive the adhesion of the Government of the Emperor. Moreover, it does not seem that the application of this principle can give rise to any difficulty as regards the two extreme parts of Schleswig, where the nationality is clearly determined. As to the mixed districts of the centre, in whatever manner



their fate may be determined, there will always be Danes subject to a German country, or Germans subject to Denmark in them. Considering the absolute impossibility of taking nationality as a rule on this point, we think that it would be just to decide the difference in favour of the weaker party, especially when she is already undergoing the sacrifices which this rule imposes on her in all the points where it is manifestly against her. My Government equally consider it as essential that the frontier should be traced in conformity with the necessities of the defence of Denmark, for these necessities must be taken into consideration by the Conference, whose mission is, whilst satisfying the legitimate claims of Germany, to take care that the new arrangements should sufficiently guarantee the independence of Denmark and the interests of the balance of power in the north of Europe."

The assent of the Plenipotentiary of Russia was expressed in the following manner:—

"In the opinion of the Cabinet of Russia, it is for His Majesty King Christian IX. to pronounce himself the first as to what is expedient for the interests of his country. If that august Sovereign approved the bases of the pacification to be concluded, the Imperial Cabinet would not refuse its assent to a transaction which the Court of Copenhagen had freely accepted.

"But so long as the stipulations of the Treaty of London preserve their binding force for Denmark, as well as for the neutral Powers, the Plenipotentiary of Russia must decline a deliberation, which in his opinion is premature, as to the future fate of the territories which His Majesty the King of Denmark has not surrendered.

"If, subsequently, His Majesty King Christian IX. were to surrender the Duchy of Holstein, the question of the Succession would be open. In the opinion of the Plenipotentiary of Russia, it could only receive a legal solution by paying due respect to the justice of the cause of the parties interested, who would have to assert their titles, in conformity with the principles of international law."

The assent of the Plenipotentiary of Sweden was contained in the following declaration:—

"Count Wachtmeister declared that, like Great Britain, his Government recognize that if the Treaties of 1852 must be abandoned, no solution could be found except on the principle of the separation of the two nationalities, Danish and German. Starting from this point of view, his Government would have considered it more natural that the new frontier of Den-

mark should have been established on the Eider, as this river has always separated Denmark and Germany.

"He is, however, authorized to adhere to the proposal put forward by Lord Russell, on condition that the frontier of Denmark shall not be drawn more to the north than the Schlei and the Dannewerke; that the part of Schleswig situated to the north of this line shall be completely incorporated with Denmark; that Germany shall in future have no right of interference in the internal affairs of that Monarchy; and that the new frontier to be established shall be placed under a European guarantee.

"As to the provinces which in the afore-said eventuality would be ceded by the King of Denmark, his Government expect that their future destiny will not be decided without their consent, and that the freedom of choice of the population will be protected by sufficient guarantees."

The German Plenipotentiaries accepted the principle of Lord Russell's plan, reserving to their Courts the right of making counter-propositions on the various questions of detail of which the projected arrangement was composed.

The Plenipotentiaries of Denmark undertook to bring this project to the knowledge of their Court, having no doubt of the serious attention with which it would be received.

This expectation was justified.

The Protocol of June 2, No. 7, contains the declaration made by M. Quaade by order of his Court. This document evinces such noble and exalted intentions, that we think it right to preserve its text in full in this record of the deliberations of the Conference of London:—

"When, at the time of the conclusion of the Treaty of London, the present King of Denmark accepted the choice which had been made of his person to succeed eventually to the King then reigning, the principal and decisive motive for His Majesty's resolution was the firm hope that Europe would know how to maintain what she had recognized and resolved by that solemn treaty. His Majesty would not by his refusal prevent the Danish Monarchy from receiving a further pledge of stability, and he knew, thanks to the renunciations and sacrifices made by the rightful claimants, that he infringed the rights of no one by accepting the offer which had been made to him.

"Since then things have changed, and His Majesty has been subjected to a most cruel disappointment. Notwithstanding his own efforts, and those of his devoted people, his sole support in carrying out a work in which almost all Europe had con-

curred, His Majesty has been compelled to consider the possibility of his hopes not being realized.

"If such is to be the case, if really the Powers of Europe wish to abandon the Treaty of London, His Majesty, to prevent the resumption of hostilities, will not oppose a territorial cession, provided always that he obtains thereby, not only peace, but also an independent and perfectly autonomous existence as regards the remainder of his States, and on condition that the future destiny of the territories ceded be not decided without their consent.

"The Danish Government accept, therefore, in principle the proposal made in the last sitting by Earl Russell for the re-establishment of peace between Denmark and the two great German Powers.

"But in order that this peace, so earnestly desired by us, may bring with it a true reconciliation, it is necessary that it should be in every respect adapted to secure to Denmark the independence which belongs to her of right, the political independence which the Treaty of London was meant to guarantee to her, and for the preservation of which the Danish people have not hesitated to engage singlehanded in a sanguinary conflict with forces far superior to their own.

"The Danish Plenipotentiaries must, therefore, at once observe that there are limits to the sacrifices which it is desired to impose upon Denmark which the Danish Government cannot exceed.

"Thus the new frontier of Denmark is a vital question for that country. She requires a frontier which shall provide for both her military and her commercial interests, and that frontier must be protected by sufficient guarantees.

"There is another point on which the Danish Government reserve to themselves full liberty.

"It is only on special conditions that His Majesty the King of Denmark will consent to the cession of the Duchy of Lauenburg. That country was acquired at the time by the King of Denmark in exchange for a part of Pomerania, to serve as an equivalent for the Kingdom of Norway, which was sacrificed for the re-establishment of the peace of Europe, and it is essentially unconcerned in the dispute which has caused the present war.

"Finally, the Danish Plenipotentiaries must claim for their Government full liberty to resume the position which they have invariably maintained until now on the ground of the Treaty of London, as soon as they may find that the provisional and conditional abandonment of that position will not conduce to a just and equitable

arrangement, adapted to replace the provisions of that treaty."

The Ambassador of Russia, in the name of the other Plenipotentiaries of the neutral Powers, hastened to render on this occasion just homage to the intentions of His Majesty the King of Denmark. To replace the facts exactly as they stood, Baron de Brunnow called attention to the fact that the complaints made on the part of Holstein and of Lauenburg, &c., do not date from the present reign, but from a previous period. Scarcely had King Christian mounted the Throne when he found himself surrounded by difficulties, becoming more threatening from day to day. Time was not left to him to repair the faults of the past, or to calm the antipathies dating from a very distant period. It would, then, be unjust to throw upon his reign the responsibility of misfortunes which are in no degree its work.

The Protocol of June 2 contains also the declaration by which the Ambassador of Russia announced to the Conference that the Emperor, desiring to facilitate, as far as depends upon him, the arrangements to be concluded between Denmark and Germany with a view to the re-establishment of peace, has ceded to Monseigneur the Grand Duke of Oldenburg the eventual rights which Section 3 of the Protocol of Warsaw of May 24 (June 5), 1851, reserved to His Majesty as Chief of the elder branch of Holstein-Gottorp.

The said Protocol was deposited in the archives of the Conference.

All the Plenipotentiaries assembled in Conference hastened to render homage to the spirit of conciliation which dictated the declaration of the Court of Russia.

Baron de Beust, whilst joining in the expression of these sentiments, thought it his duty to make, in the name of the Confederation, the reservations which the Diet might consider necessary relative to the effect of the Protocol of Warsaw, and to the pretensions which might be founded on that document.

The Prince de la Tour d'Auvergne, whilst rendering entire justice to the intentions which dictated the declaration of the Court of Russia, seized the opportunity to maintain formally the views of his Government, according to which no new state of things could be established in a detached territory of the Danish Monarchy without the concurrence and the consent of the populations, loyally consulted.

M. de Quaade observed that as his Government regard the Treaty of London as being still in force, the combination settled by that treaty has not yet failed.

The Ambassador of Russia recapitulated

the considerations under the influence of which the Emperor of Russia has resolved to transfer the eventual rights of the elder branch of Holstein-Gottorp, of which he is the Chief, to the younger branch, represented by Monseigneur the Grand Duke of Oldenburg. His Majesty has reserved to this Sovereign to establish their joint titles, whenever he may consider that the moment for it should have arrived. As a member of the Germanic Confederation, that Prince would be called on to assert his claims himself in the legal course, before the Federal authority on which he depends. The Emperor of Russia will remain unconcerned in this suit. He is henceforward free from any direct intervention in a question of contested Succession in Holstein—a question which he is not anxious to complicate. Far from wishing to aggravate the difficulties which may retard the re-establishment of peace, His Majesty seeks to diminish them.

The Plenipotentiary of Russia, after having explained these views, by order of the Emperor, added :—

“I congratulate myself on having been called upon to express, as I have just done, the sentiments of His Majesty, in depositing the Protocol of Warsaw of the year 1851, among the archives of the Conference. That document has given rise, more than once, to false interpretations. They will be contradicted by the publicity which the declaration I have just made in the name of the Emperor will not fail to acquire. The spirit of conciliation which presides over His Majesty’s policy will then be generally known, as it has been unanimously appreciated to-day by all the members of the Conference.”

Already the task confided to its care ran the risk of being rudely interrupted by the sudden resumption of hostilities. We had arrived at the 6th of June. There remained only six days up to the term fixed for the duration of the truce. It was with hesitation that the Danish Cabinet decided to prolong it. At the reiterated request of the Plenipotentiaries of the neutral Powers, they ended by consenting to it. But they limited this prolongation to a fortnight.

Austria and Prussia, on their side, felt extreme repugnance to accepting a truce of such short duration, when they had proposed the conclusion of an armistice of several months.

After discussions, the record of which we abridge, it was agreed to suspend hostilities till the 26th of June. Clearly, this period was insufficient to leave to the Conference the necessary means of accomplishing its task successfully.

The Protocols of the 6th and 9th of

June attest the perseverance of the efforts employed to obtain the consent of the Danish Government to a cessation of arms of a longer duration.

In order to explain the refusal repeatedly pronounced by order of his Court, M. de Quade declared more than once that it could not consent to a prolongation of the suspension of hostilities unless there should appear to be a fair probability of agreement upon a point so vital as that of the frontier.

This particular question has formed from that time the main subject of discussion. It has been discussed not only in Conference, but in meetings held confidentially by the Plenipotentiaries of the neutral Powers, both with the Representatives of Denmark and with those of the Germanic Powers.

These frequent deliberations, prolonged and directed by a feeling of sincere friendliness, have had for their object to bring about a desirable reconciliation between the two parties.

We will indicate briefly the results of this attempt at conciliation.

The first line of demarcation adopted by the Danish Government had been traced from Eckernförde to Friedrichstadt, a little to the south of the line proposed on the 28th of May by the Plenipotentiaries of Great Britain. It was only at a later period that the Representatives of Denmark were authorized to adhere to the line of the Schlei and the Dannewerke. They stopped there, their instructions not permitting them to entertain any other arrangement whatever.

The first line of demarcation put forward by the Plenipotentiaries of Prussia and Austria was traced from Apenrade to Tonder. Nevertheless, Count Bernstorff, wishing to give a proof of his desire for conciliation, declared his readiness to recommend to his Government a second line which should be drawn from a point to the north of Flensburg, and would terminate to the north of Tonder at Hoyer. This second line would have had the advantage of leaving the Danish Government in possession of the island of Alsens.

Count Apponyi did not at first consider himself authorized to adopt the second line. Subsequently, however, he obtained permission to do so. The Protocol No. 9, however, states that this second line which Count Bernstorff had recommended to his Government was not definitely adopted, “because hitherto no steps had been taken on the other side to meet the German proposals.”

This consideration decided the Plenipotentiaries of Austria and Prussia to



recur finally to their first line traced from Apenrade to Tonder, and this proposition forms the extreme limit at which they have finally taken their stand.

In this state of things there remained between the two lines—the one Danish and the other German—an intermediate territory in dispute, and it was not in the power of the Plenipotentiaries of the neutral Powers to induce either one or the other of the two parties to advance a single step towards an equitable arrangement.

Such was the situation on the 18th of June. One half of the period granted by the Danish Government for the suspension of arms had elapsed. There remained but a space of eight days to accomplish the work of peace confided to the Conference. Wishing to persevere in this task without permitting themselves to be discouraged by the obstacles which they encountered at every step, the Government of Her Britannic Majesty resolved upon a last attempt at conciliation.

In suggesting this arrangement, Lord Russell conformed to a desire earnestly expressed at the Congress of Paris in the interest of the maintenance of a general peace. This desire, enunciated on the 14th of April, 1856, had for its object to recommend to the Cabinets, in the event of a serious misunderstanding, to have recourse to the good offices of a friendly State before appealing to force.

In making himself the organ of this proposition, Lord Russell expressed himself in the following terms, which we quote verbally:—

“Now that the principal question in dispute has been reduced to the tracing a frontier some miles more or less to the north, when the two belligerent parties have brilliantly sustained the honour of their arms, and when the renewal of hostilities would produce a new series of calamities, disastrous to humanity, and unworthy of the civilization of our age, the Plenipotentiaries of Great Britain think it their bounden duty to propose to the belligerent Powers, namely, to Austria, to Prussia, and to Denmark, that a friendly Power should be appealed to, in order that a line of frontier may be traced, which should neither pass to the south of the line indicated by Denmark, nor to the north of that designated by the German Plenipotentiaries.”

The Plenipotentiaries of the belligerent Powers, being without special instructions, took this proposition *ad referendum*.

The Earl of Clarendon thought proper to explain its meaning, so as to prevent any misunderstanding. With this object, he said, “that he did not admit the interpretation of M. de Krieger that the Decla-

ration of the Congress of Paris is not applicable unless an appeal is also to be made to the mediating Power with regard to all the questions in dispute. The disputed territory and the frontier are alone in question. The intention of the English Plenipotentiaries is to propose that the question of the territory between the two lines pointed out should be submitted to the arbitration of a friendly Power, the belligerent Powers engaging to accept its decision as final.

In the same sitting the Plenipotentiaries of Prussia demanded that the inhabitants of Schleswig should be consulted upon the arrangements to be adopted with regard to them, and that the fate of a part or of the whole of those populations should not be decided without their wishes being first properly declared.

This project gave rise to a discussion which the Plenipotentiary of Russia summed up in these terms:—

“In this meeting we sometimes choose divergent paths in order to arrive at an object which is common to us all: I mean the restoration of peace. The proposal which the Plenipotentiaries of Prussia have just made with this object has not met with an unanimous assent in the Conference. The Plenipotentiaries of the Court of Austria have stated how far their views differ from those of Prussia. The Plenipotentiaries of Great Britain have pronounced their dissent in a manner still more formal. I have been compelled to express myself in the same spirit. The Ambassador of France has limited the question to the mixed districts, without extending it beyond them. The Minister of Sweden and Norway has been unwilling to prejudice in this respect the intentions of the Plenipotentiaries of Denmark. Their reply is decisive. It declines the Prussian proposal, which is supported by the Plenipotentiary of the Germanic Confederation alone. The result of this deliberation proves that the manner of solution indicated by the Court of Prussia has not secured the united suffrages of the Conference.”

The Conference assembled on the 22nd of June, to hear the decisions which the belligerent Powers had taken upon the proposal made by the Government of her Britannic Majesty with the view of calling on a friendly Power to settle the question of boundary, which was now the principal difficulty that delayed the specific solution of the dispute.

The reply of the belligerent Powers did not respond to the wishes of the Government of Her Britannic Majesty. Austria and Prussia, “while showing themselves disposed to accept the mediation of a

neutral Power not represented in the Conference, were not willing to engage beforehand to consider themselves definitely bound by the opinion which might be expressed by the mediating Power, as circumstances did not allow them to accept an arbitrativ decision."

The Danish Government expressed a refusal even more decided. They declared that, to their great regret, it was impossible for them to give their consent to the proposal of the English Cabinet.

The Plenipotentiary of Denmark explained this refusal by the necessity which obliged him to regard the boundary proposed on the 28th of May as final, so as not to allow him to agree to an arbitrativ decision which might modify that line.

Lord Clarendon combated this opinion.

While representing facts in their real light, he showed that the line indicated on the 28th of May had been proposed in the interest of Denmark and of peace, and not with the intention of laying down a principle from which there could be no departure.

The Plenipotentiary of Russia concurred in the opinion of Lord Clarendon. He affirmed that Lord Russell never intended to propose this line as an ultimatum, nor to impose it as such on the belligerent Powers.

The Ambassador of France and the Minister of Sweden expressed themselves in the same sense.

All the combinations brought forward to arrive at an agreement on the line of the frontier having unfortunately been rejected, the Prince de la Tour d'Auvergne thought fit to lay before the Conference a new proposal. He said,—

"When the Government of the Emperor gave their adhesion to the plan of arrangement proposed by Her Britannic Majesty's Principal Secretary of State, in the sitting of the 28th of May, they hoped that the united efforts of the Plenipotentiaries of the neutral Powers, seconded by the conciliatory disposition of the Plenipotentiaries of the belligerent Powers, would succeed in bringing about between the interested parties an understanding as to the tracing of the line of frontier.

"These hopes have unfortunately not been realized. All the arrangements proposed have been rejected, and no compromise seems as yet to have any chance of being accepted. In this position of affairs, the Government of the Emperor consider it their duty to make in the interests of

peace a final suggestion. It is in virtue of their nationality that the northern districts of Schleswig are to be assigned to Denmark, and those of the south to Germany. It has not been thought expedient to make an appeal to the wishes of the population where those wishes seem to be manifest; but they might be consulted where they are doubtful, and where no other means exist for establishing an agreement. Whilst admitting the impossibility of taking nationality as an absolute rule in the division of the mixed districts of Schleswig, the Government of the Emperor are, however, of opinion that it would be right to obtain, by means of a vote of the communes, the elements of appreciation on which it should be agreed to base a decision. This vote by communes would allow the most exact account to be taken of each nationality in the definitive tracing of the frontier.

"In order that it might offer in other respects the guarantees desired, it would be well to stipulate that all military forces should previously be withdrawn, and that the votes should be given free from all pressure. Each Power might, moreover, send delegates to the spot, in order to ensure the perfect impartiality of the scrutiny."

Lord Russell, in asking the opinion of the Danish Plenipotentiaries on this proposal, said that, as regarded the English Plenipotentiaries, they would be disposed to concur if the Danish Government thought proper to give their adhesion.

M. de Quaade replied that he was of course without instructions on the subject, and that he could not even consent to accept it *ad referendum*. He alluded to his declaration of the 2nd of June, in which he said that his Government would make great sacrifices in order to obtain the restoration of peace, but that there were limits beyond which they could not go, and his instructions forbade him to consent to any other line than that proposed by the English Plenipotentiaries in the sitting of the 28th of May, and accepted by Denmark.

This declaration ended the debate. It showed at the same time the obstacle which the most persevering efforts of the neutral Powers have not been able to overcome.

It is before this insurmountable difficulty that the labours of the Conference of London have come to an end.

## II.

### CORRESPONDENCE RELATIVE TO A MEETING AT QUEBEC OF DELEGATES APPOINTED TO DISCUSS THE PROPOSED UNION OF THE BRITISH NORTH AMERICAN PROVINCES.

(From Papers presented to both Houses of Parliament.)

*Copy of a Despatch from Viscount Monck to the Right Hon. Edward Cardwell, M.P.*

Quebec, September 23, 1864.

Sir,

I have the honour to transmit a copy of an approved Minute of the Executive Council of Canada, requesting me to invite the Governments of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, to send Representatives to a conference with the Ministers of Canada, at Quebec, to be held for the purpose of considering the question of the Union of these Provinces, and to digest a practical plan for the realization of the idea which should be submitted for your approval.

The desire for a closer union amongst these Colonies than has hitherto existed appears to be very generally felt both in Canada and in the Lower Provinces.

It appears to me that the mode of proceeding suggested in this Minute is the only one in which the views entertained by the leading politicians of the British North American Colonies on this important subject can be brought intelligibly and in a practical form before your attention.

This course is also, I think, that which was pointed out by the Duke of Newcastle in his Despatch to Lord Mulgrave (Nova Scotia, No. 182), of July 6, 1862, transmitted to me for my information on the same day, as that which ought to be pursued in the circumstances.

I have therefore had no hesitation in complying with the request of my Executive Council, and I have addressed identical communications, of which I enclose a copy, to the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, and to the Governor of Newfoundland, inviting them to nominate deputations to represent these respective Provinces at the proposed Conference.

I have, &c.

(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.  
&c. &c. &c.

*Copy of a Report of a Committee of the Executive Council, approved by his Excellency the Governor-General on September 23, 1864.*

The Committee of Council has the honour to inform your Excellency that the deputation from the Executive Council who met the delegates from the Maritime Provinces at Charlottetown on the 1st instant, in accordance with the Order in Council of the 29th ultimo, have reported that such Conference duly met, and that the question of a Confederation of the British North American Colonies was discussed at length, and such progress made that it was thought desirable by the Conference that the subject should be resumed in a formal and official manner under the authority of the Governments of the several Provinces.

The Committee have therefore the honour to advise and submit for your Excellency's approval that the several Governments of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, be invited to appoint Delegates, under the authority of the Despatch of the Secretary for the Colonies to the Lieutenant-Governor of Nova Scotia, dated July 6, 1862, and communicated by the Colonial Office to your Excellency by a Despatch of the same date, to confer with the Canadian Government on the subject of a Union or Federation of the British North American Provinces.

The Committee beg leave further to recommend that Quebec be selected as the place, and the 10th of October next the time for the meeting, as they have ascertained that such time and place will meet the views and convenience of the several Governments.

Certified,

W. H. LEE,  
Clerk of the Executive Council.

*Lord Monck to Governor of Lower Provinces.*

Quebec, September 23, 1864.

Sir,

I have the honour to transmit a copy of an approved Minute of the Exe-



cutive Council of Canada respecting the proposal to hold a Conference of Delegates from the Colonies of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, with the Ministers of Canada, to consider the question of a Union of these Colonies, and to digest a scheme for the practical realization of the idea which may be submitted as embodying the joint opinions of the Governments of the several Provinces to the Secretary of State for the Colonies, with a view to obtaining his sanction for legislation on the subject.

In conformity with the request contained in this Minute, I have the honour to invite you to name a deputation to represent your Province in the approaching Conference, which will meet at Quebec on the 10th of October.

I have, &c.

(Signed) MONCK.

The Lieutenant-Governors of Nova Scotia, New Brunswick, Prince Edward Island, and the Governor of Newfoundland.

*Copy of a Despatch from the Right Hon. Edward Cardwell, M.P., to Viscount Monck.*

Downing-street, October 14, 1864.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's Despatch, No. 135, of the 23rd of September, reporting that you had invited the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, together with the Governor of Newfoundland, to send Delegates to Quebec, to attend a Conference on the subject of the proposed Union of the British North American Provinces.

I approve of the course which your Lordship has taken in this matter.

I have, &c.

(Signed) EDWARD CARDWELL.

Governor-General Viscount Monck,  
&c. &c. &c.

*Copy of a Despatch from Viscount Monck to the Right Hon. Edward Cardwell, M.P.*

Quebec, November 7, 1864.

Sir,

Referring to my Despatch (No. 135) of the 23rd of September, in which I have informed you that I had invited the Lieutenant-Governors of Nova Scotia,

New Brunswick, and Prince Edward Island, and the Governor of Newfoundland, to send Representatives to confer with the Members of the Canadian Government on the feasibility of effecting a Union between the Colonies of British North America, and to my Despatches<sup>1</sup> of the 14th October (No. 151) and 2nd November (No. 165), in which I enclosed to you the answers received to that invitation, I have the honour to report that the several gentlemen named in the communications above referred to as Representatives of those Colonies respectively arrived at Quebec on Monday the 10th October, the day named for the assembling of the Conference.

They immediately proceeded to the consideration of the important question, the discussion of which constituted the object of their meeting, having appointed Sir Etienne Taché, Prime Minister of Canada, as chairman to preside over their deliberations.

Their sittings began on the 10th of October, and continued *de die in diem* until the 28th of the same month.

I have now the honour to transmit the Resolutions agreed to by the Conference, for which I would ask the favourable consideration of yourself and Her Majesty's Government.

I may state that an extended intercourse with the Members of the Conference enables me to assure you that they were one and all actuated by the strongest feelings of loyalty to the Queen, the most earnest desire to maintain the connexion with England, and the wish to make the proposed Union work so as to strengthen that connexion by enabling the Provinces to take upon themselves more largely the responsibilities of a self-governing community.

I do not enter into any arguments to prove that a consolidation of these Provinces is desirable, if it can be effected on principles which will give guarantees for strength and durability.

The advantages of a well-considered plan of Union, whether looked at from the point of administration, commerce, or defence, appear to me so obvious that it would be a waste of time to state them; and the fact that the most eminent public men of all the Provinces concur in desiring such a Union, appears to me to go a long way in superseding the necessity for any abstract arguments in its favour.

The plan which has been adopted by the Conference you will observe is the Union

<sup>1</sup> These two Despatches merely reported the names of some of the Delegates, and the expected time of their meeting.

of all the Provinces on the Monarchical principle, under one Governor, to be appointed by the Crown, with Ministers responsible, as in England, to a Parliament consisting of two Houses, one to be nominated by the Crown, and the other elected by the people.

To this Central Government and Legislature will be committed all the general business of the United Provinces, and its authority on all such subjects will be supreme, subject of course to the rights of the Crown and of the Imperial Parliament.

For the purposes of local administration it is proposed to have in each Province an Executive Officer, to be appointed by the Governor, and removable by him for cause to be assigned, assisted by a Legislative Body, the constitution of which it is proposed to leave to the decision of the present Local Legislatures, subject to the approbation of the Imperial Government and Parliament.

To these local bodies are to be entrusted the execution of certain specified duties of a local character, and they are to have no rights or authority beyond what is expressly delegated to them by the Act of Union.

To the General Government it is proposed to reserve the right of disallowing Acts passed by the Local Legislatures.

I think this will be found a fair general outline of the constitutional portion of the proposed scheme of Union, and I trust it will be found of such a nature as to merit the general approbation of Her Majesty's Government.

I do not allude to the proposed financial arrangements between the different members of the proposed Union, as these relate to questions exclusively affecting the Provinces, and upon which I presume they may safely be allowed to adopt any course which they may themselves think conducive to their interests.

In transmitting these Resolutions for your consideration, I venture to state my opinion that the desire for a consolidation of British North America has taken strong hold of the minds of the most earnest and thoughtful men in these Provinces, and I trust that, whether on the plan suggested by these Resolutions, or on some modification of it, a Union may be effected, which will satisfy the aspirations of so loyal and influential a portion of Her Majesty's subjects.

I have, &c.

(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.  
&c. &c. &c.

*Report of Resolutions adopted at a Conference of Delegates from the Provinces of Canada, Nova Scotia, and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the City of Quebec, October 10, 1864, as the Basis of a proposed Confederation of those Provinces and Colonies.*

1. The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.

2. In the Federation of the British North American Provinces, the system of government best adapted under existing circumstances to protect the diversified interests of the several Provinces, and secure efficiency, harmony, and permanency in the working of the Union, would be a General Government charged with matters of common interest to the whole country, and Local Governments for each of the Canadas and for the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, charged with the control of local matters in their respective sections, provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-west Territory, British Columbia, and Vancouver.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connexion with the Mother Country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.

4. The Executive Authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well-understood principles of the British Constitution by the Sovereign personally, or by the Representative of the Sovereign duly authorized.

5. The Sovereign, or Representative of the Sovereign, shall be Commander-in-Chief of the Land and Naval Militia Forces.

6. There shall be a General Legislature or Parliament for the Federated Provinces, composed of a Legislative Council and a House of Commons.

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions:—1st, Upper Canada; 2nd, Lower Canada; 3rd, Nova Scotia, New Brunswick, and Prince Edward Island; each

division with an equal representation in the Legislative Council.

8. Upper Canada shall be represented in the Legislative Council by 24 members, Lower Canada by 24 members, and the three Maritime Provinces by 24 members, of which Nova Scotia shall have 10, New Brunswick 10, and Prince Edward Island 4 members.

9. The Colony of Newfoundland shall be entitled to enter the proposed Union, with a representation in the Legislative Council of 4 members.

10. The North-west Territory, British Columbia, and Vancouver shall be admitted into the Union, on such terms and conditions as the Parliament of the Federated Provinces shall deem equitable, and as shall receive the assent of Her Majesty; and in the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province.

11. The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government, and shall hold office during life; if any Legislative Councillor shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

12. The Members of the Legislative Council shall be British subjects by birth or naturalization, of the full age of thirty years, shall possess a continuous real property qualification of four thousand dollars over and above all incumbrances, and shall be and continue worth that sum over and above their debts and liabilities, but in the case of Newfoundland and Prince Edward Island the property may be either real or personal.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. The first selection of the Members of the Legislative Council shall be made, except as regards Prince Edward Island, from the Legislative Councils of the various Provinces, so far as a sufficient number be found qualified and willing to serve. Such Members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective Local Governments; and in such nomination due regard shall be had to the claims of the Members of the Legislative Council of the Opposition in each Province, so that all political parties may as nearly as possible be fairly represented.

15. The Speaker of the Legislative Council (unless otherwise provided by Parliament) shall be appointed by the

Crown from among the Members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote on an equality of votes.

16. Each of the 24 Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature shall be appointed to represent one of the 24 electoral divisions mentioned in Schedule A. of Chapter 1st of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the division he is appointed to represent.

17. The basis of Representation in the House of Commons shall be Population, as determined by the official census every ten years; and the number of Members at first shall be 194, distributed as follows:—

Upper Canada . . . .	82
Lower Canada . . . .	65
Nova Scotia . . . .	19
New Brunswick . . . .	15
Newfoundland . . . .	8
and Prince Edward Island . .	5

18. Until the official census of 1871 has been made up, there shall be no change in the number of Representatives from the several sections.

19. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the representation from each section in the House of Commons shall be re-adjusted on the basis of population.

20. For the purpose of such re-adjustments, Lower Canada shall always be assigned 65 Members, and each of the other sections shall at each re-adjustment receive, for the ten years then next succeeding, the number of members to which it will be entitled on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken by having 65 members.

21. No reduction shall be made in the number of members returned by any section, unless its population shall have decreased relatively to the population of the whole Union, to the extent of five per centum.

22. In computing at each decennial period the number of Members to which each section is entitled, no fractional parts shall be considered, unless when exceeding one-half the number entitling to a Member, in which case a Member shall be given for each such fractional part.

23. The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.

24. The Local Legislature of each Province may, from time to time, alter the



electoral districts for the purposes of representation in the House of Commons, and distribute the Representatives to which the Province is entitled, in any manner such Legislature may think fit.

25. The number of Members may at any time be increased by the General Parliament, regard being had to the proportionate rights then existing.

26. Until provisions are made by the General Parliament, all the laws which at the date of the Proclamation constituting the Union are in force in the Provinces respectively, relating to the qualification and disqualification of any person to be elected or to sit or vote as a Member of the Assembly in the said Provinces respectively—and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to Returning Officers and their powers and duties,—and relating to the proceedings at elections,—and to the period during which such elections may be continued,—and relating to the trial of Controverted Elections, and the proceedings incident thereto,—and relating to the vacating of seats of Members,—and the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution,—shall respectively apply to elections of Members to serve in the House of Commons, for places situate in those Provinces respectively.

27. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer, subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28. There shall be a Session of the General Parliament once at least in every year, so that a period of twelve calendar months shall not intervene between the last sitting of the General Parliament in one Session and the first sitting thereof in the next Session.

29. The General Parliament shall have power to make Laws for the peace, welfare, and good Government of the Federated Provinces (saving the Sovereignty of England), and especially Laws respecting the following subjects:

1. The Public Debt and Property.
2. The Regulation of Trade and Commerce.
3. The imposition or regulation of Duties of Customs on Imports and Exports, except on Exports of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coal and other Minerals.
4. The imposition and regulation of Excise Duties.
5. The raising of money by all or any other modes or systems of Taxation.

6. The borrowing of Money on the public credit.
7. Postal Service.
8. Lines of Steam or other Ships, Railways, Canals, and other works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province.
9. Lines of Steamships between the Federated Provinces and other countries.
10. Telegraphic communication and the incorporation of Telegraph Companies.
11. All such works as shall, although lying wholly within any Province, be specially declared by the acts authorizing them to be for the general advantage.
12. The Census.
13. Militia—Military and Naval Service and Defence.
14. Beacons, Buoys, and Light Houses.
15. Navigation and Shipping.
16. Quarantine.
17. Sea Coast and Inland Fisheries.
18. Ferries between any Province and a Foreign Country, or between any two Provinces.
19. Currency and Coinage.
20. Banking, Incorporation of Banks, and the issue of Paper Money.
21. Savings Banks.
22. Weights and Measures.
23. Bills of Exchange and Promissory Notes.
24. Interest.
25. Legal Tender.
26. Bankruptcy and Insolvency.
27. Patents of Invention and Discovery.
28. Copyrights.
29. Indians and Lands reserved for the Indians.
30. Naturalization and Aliens.
31. Marriage and Divorce.
32. The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal matters.
33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces; but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.
34. The establishment of a General Court of Appeal for the Federated Provinces.
35. Immigration.
36. Agriculture.
37. And generally respecting all matters

of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the British Empire, to Foreign countries, arising under Treaties between Great Britain and such countries.

31. The General Parliament may also, from time to time, establish additional Courts, and the General Government may appoint Judges and Officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All Courts, Judges, and Officers of the several Provinces shall aid, assist, and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges, and Officers of the General Government.

33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts of Upper Canada, and Parliament shall fix their salaries.

34. Until the Consolidation of the Laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, the Judges of these Provinces appointed by the General Government shall be selected from their respective Bars.

35. The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.

36. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.

37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the Address of both Houses of Parliament.

#### *Local Government.*

38. For each of the Provinces there shall be an Executive Officer, styled the Lieutenant-Governor, who shall be appointed by the Governor-General in Council, under the Great Seal of the Federated Provinces, during pleasure: such pleasure not to be exercised before the expiration of the first five years, except for cause: such cause to be communicated in writing to the Lieutenant-Governor immediately after the exercise of the pleasure as aforesaid, and also by Messages to both Houses of Parliament, within the first week of the first Session afterwards.

39. The Lieutenant-Governor of each

Province shall be paid by the General Government.

40. In undertaking to pay the salaries of the Lieutenant-Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government for the amount now paid for the salary of the Lieutenant-Governor thereof.

41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.

42. The Local Legislatures shall have power to alter or amend their Constitution from time to time.

43. The Local Legislatures shall have power to make Laws respecting the following subjects:

1. Direct Taxation and the imposition of Duties on the Export of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coals and other Minerals.
2. Borrowing Money on the credit of the Province.
3. The establishment and tenure of Local Offices, and the appointment and payment of Local Officers.
4. Agriculture.
5. Immigration.
6. Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their Denominational Schools, at the time when the Union goes into operation.
7. The sale and management of Public Lands, excepting Lands belonging to the General Government.
8. Sea Coast and Inland Fisheries.
9. The establishment, maintenance, and management of Penitentiaries, and of Public and Reformatory Prisons.
10. The establishment, maintenance, and management of Hospitals, Asylums, Charities, and Eleemosynary Institutions.
11. Municipal Institutions.
12. Shop, Saloon, Tavern, Auctioneer, and other Licences.
13. Local Works.
14. The Incorporation of private or local Companies, except such as relate to matters assigned to the General Parliament.
15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.
16. Inflicting punishment by fine, penalties, imprisonment, or otherwise for the breach of laws passed in relation to any subject within their jurisdiction.
17. The Administration of Justice, in-

cluding the constitution, maintenance, and organization of the Courts—both of Civil and Criminal Jurisdiction, and including also the procedure in Civil Matters.

18. And generally all matters of a private or local nature, not assigned to the General Parliament.

44. The power of respiting, reprieving, and pardoning prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant-Governor of each Province in Council, subject to any instructions he may from time to time receive from the General Government, and subject to any provisions that may be made on this behalf by the General Parliament.

#### *Miscellaneous.*

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and supersede those made by the Local Legislature, and the latter shall be void as far as they are repugnant to or inconsistent with the former.

46. Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.

47. No lands or property belonging to the General or Local Government shall be liable to taxation.

48. All bills for appropriating any part of the public revenue, or for imposing any new tax or impost, shall originate in the House of Commons or the House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost to any purpose, not first recommended by Message of the Governor-General, or the Lieutenant-Governor, as the case may be, during the session in which such vote, resolution, address, or bill is passed.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty's assent, and any bill of the Local Legislatures may in like manner be reserved for the consideration of the Governor-General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the Legislatures of the said Provinces hitherto, and in like

manner any bill passed by a Local Legislature shall be subject to disallowance by the Governor-General within one year after the passing thereof.

52. The seat of Government of the Federated Provinces shall be Ottawa, subject to the Royal Prerogative.

53. Subject to any future action of the respective Local Governments, the seat of the Local Government in Upper Canada shall be Toronto; of Lower Canada, Quebec, and the seats of the Local Governments in the other Provinces shall be as at present.

#### *Property and Liabilities.*

54. All stocks, cash, bankers' balances, and securities for money belonging to each Province, at the time of the Union, except as hereinafter mentioned, shall belong to the General Government.

55. The following public works and property of each Province shall belong to the General Government, to wit:—

1. Canals;
2. Public harbours;
3. Lighthouses and piers;
4. Steamboats, dredges, and public vessels;
5. River and lake improvements;
6. Railway and railway stocks, mortgages, and other debts due by railway companies;
7. Military roads;
8. Custom-houses, post-offices, and other public buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments;
9. Property transferred by the Imperial Government, and known as Ordnance Property;
10. Armouries, drill sheds, military clothing, and munitions of war; and
11. Lands set apart for public purposes.

56. All lands, mines, minerals, and royalties, vested in Her Majesty in the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for the use of such Provinces, shall belong to the Local Government of the territory in which the same are so situate, subject to any trusts that may exist in respect to any of such lands or to any interest of other persons in respect of the same.

57. All sums due from purchasers or lessees of such lands, mines, or minerals, at the time of the Union, shall also belong to the Local Governments.

58. All assets connected with such portions of the public debt of any Province as are assumed by the Local Governments,



shall also belong to those Governments respectively.

59. The several Provinces shall retain all other public property therein, subject to the right of the General Government to assume any lands or public property required for fortifications or the defence of the country.

60. The General Government shall assume all the debts and liabilities of each Province.

61. The debt of Canada not specially assumed by Upper and Lower Canada respectively, shall not exceed at the time of the Union . . . . . \$62,500,000

Nova Scotia shall enter the Union with a debt not exceeding . . . . .	8,000,000
And New Brunswick, with a debt not exceeding . . . . .	7,000,000

62. In case Nova Scotia or New Brunswick do not incur liabilities beyond those for which their Governments are now bound, and which shall make their debts at the date of Union less than \$8,000,000 and \$7,000,000 respectively, they shall be entitled to interest at 5 per cent. on the amount not so incurred, in like manner as is hereinafter provided for Newfoundland and Prince Edward Island; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces by legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government. Provided always that the powers so conferred by the respective Legislatures shall be exercised within five years from this date, or the same shall then lapse.

63. Newfoundland and Prince Edward Island, not having incurred debts equal to those of the other Provinces, shall be entitled to receive by half-yearly payments in advance from the General Government the interest at 5 per cent. on the difference between the actual amount of their respective debts at the time of the Union, and the average amount of indebtedness per head of the population of Canada, Nova Scotia, and New Brunswick.

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to 80 cents per head of the population, as established by the census of 1861, the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.

65. The position of New Brunswick being such as to entail large immediate

charges upon her local revenues, it is agreed that for the period of ten years from the time when the Union takes effect, an additional allowance of \$63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under \$7,000,000, a deduction equal to the interest on such deficiency shall be made from the \$63,000.

66. In consideration of the surrender to the General Government by Newfoundland of all its rights in mines and minerals, and of all the ungranted and unoccupied lands of the Crown, it is agreed that the sum of \$150,000 shall each year be paid to that Province, by semi-annual payments. Provided that that Colony shall retain the right of opening, constructing, and controlling roads and bridges through any of the said lands, subject to any laws which the General Parliament may pass in respect of the same.

67. All engagements that may, before the Union, be entered into with the Imperial Government for the defence of the country shall be assumed by the General Government.

68. The General Government shall secure, without delay, the completion of the Intercolonial Railway from Rivière-du-Loup through New Brunswick to Truro in Nova Scotia.

69. The communications with the North-western Territory, and the improvements required for the development of the trade of the Great West with the Seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the Conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the Conference shall be authenticated by the signatures of the Delegates, and submitted by each Delegation to its own Government, and the Chairman is authorized to submit a copy to the Governor-General for transmission to the Secretary of State for the Colonies.

I certify that the above is a true copy of the original Report of Resolutions adopted in Conference.

E. P. TACHÉ, Chairman.

*Copy of a Despatch from Viscount Monck to the Right Hon. Edward Cardwell, M.P.*

Government House, Quebec,  
November 14, 1864.

Sir,

I have the honour to transmit for your information a copy of a Despatch which I have addressed to each of the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, and to the Governor of Newfoundland, enclosing copies of the Resolutions of the late Conference at Quebec, on the Union of the Provinces of British North America. I have &c.,

(Signed) MONCK.

The Right Hon. Edward Cardwell, M.P.  
&c. &c. &c.

Government House, Quebec,  
November 12, 1864.

Sir,

Referring to my Despatch of 23rd September, and to your answer of 3rd October, I have the honour to inform you that the gentlemen named by you to represent Nova Scotia began their consultations with the delegates from the other Provinces, and the Ministers of Canada on the 10th October.

The members of the Conference chose Sir E. P. Taché, Prime Minister of Canada, as their chairman, and I have now the honour to transmit to you a copy of the Resolutions adopted by the Conference, authenticated by the signature of that gentleman.

I have also transmitted a similar copy to Her Majesty's Secretary of State for the Colonies, and the Lieutenant-Governor of New Brunswick and Prince Edward Island, and the Governor of Newfoundland.

I have, &c.

(Signed) MONCK.

His Excellency the Lieutenant-Governor of Nova Scotia, &c., &c., &c.

*Copy of a Despatch from the Right Hon. Edward Cardwell, M.P., to Viscount Monck.*

Downing Street, Dec. 3, 1864.

My Lord,

Her Majesty's Government have received with the most cordial satisfaction your Lordship's Despatch of the 7th ult., transmitting for their consideration the Resolutions adopted by the Representatives

of the several Provinces of British North America, who were assembled at Quebec.

With the sanction of the Crown—and upon the invitation of the Governor-General—men of every Province, chosen by the respective Lieutenant-Governors without distinction of party, assembled to consider questions of the utmost interest to every subject of the Queen, of whatever race or faith, resident in those Provinces; and have arrived at a conclusion destined to exercise a most important influence upon the future welfare of the whole community.

Animated by the warmest sentiments of loyalty and devotion to their Sovereign,—earnestly desirous to secure for their posterity throughout all future time the advantages which they enjoy as subjects of the British Crown,—steadfastly attached to the institutions under which they live,—they have conducted their deliberations with patient sagacity, and have arrived at unanimous conclusions on questions involving many difficulties, and calculated under less favourable auspices to have given rise to many differences of opinion.

Such an event is in the highest degree honourable to those who have taken part in these deliberations. It must inspire confidence in the men by whose judgment and temper this result has been attained; and will ever remain on record as an evidence of the salutary influence exercised by the institutions under which these qualities have been so signally developed.

Her Majesty's Government have given to your Despatch, and to the Resolutions of the Conference their most deliberate consideration. They have regarded them as a whole, and as having been designed by those who have framed them to establish as complete and perfect an union of the whole into one Government, as the circumstances of the case and a due consideration of existing interests would admit. They accept them, therefore, as being, in the deliberate judgment of those best qualified to decide upon the subject, the best framework of a measure to be passed by the Imperial Parliament for attaining that most desirable result.

The point of principal importance to the practical well-working of the scheme, is the accurate determination of the limits between the authority of the Central and that of the Local Legislatures in their relation to each other. It has not been possible to exclude from the Resolutions some provisions which appear to be less consistent than might, perhaps, have been desired with the simplicity and unity of the system. But upon the whole it appears to Her Majesty's Government that precautions have been taken, which are obviously intended to secure to the Central

Government the means of effective action throughout the several Provinces; and to guard against those evils which must inevitably arise, if any doubt were permitted to exist as to the respective limits of Central and Local authority. They are glad to observe that, although large powers of legislation are intended to be vested in local bodies, yet the principal of Central control has been steadily kept in view. The importance of this principle cannot be overrated. Its maintenance is essential to the practical efficiency of the system,—and to its harmonious operation, both in the general administration, and in the Governments of the several Provinces. A very important part of this subject is the expense which may attend the working of the Central and Local Governments. Her Majesty's Government cannot but express the earnest hope that the arrangements which may be adopted in this respect may not be of such a nature as to increase—at least in any considerable degree—the whole expenditure, or to make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country.

Her Majesty's Government are anxious to lose no time in conveying to you their general approval of the proceedings of the Conference. There are, however, two provisions of great importance which seem to require revision. The first of these is the provision contained in the 44th Resolution with respect to the exercise of the Prerogative of pardon. It appears to Her Majesty's Government that this duty belongs to the representative of the Sovereign,—and could not with propriety be devolved upon the Lieutenant-Governors, who will, under the present scheme, be appointed not directly by the Crown, but by the Central Government of the United Provinces.

The second point which Her Majesty's Government desire should be re-considered is the Constitution of the Legislative Council. They appreciate the considerations which have influenced the Conference in determining the mode in which this body, so important to the constitution of the Legislature, should be composed. But it appears to them to require further consideration whether if the members be appointed for life, and their number be fixed, there will be any sufficient means of restoring harmony between the Legislative Council and the Popular Assembly, if it shall ever unfortunately happen that a decided difference of opinion shall arise between them.

These two points, relating to the Prerogative of the Crown and to the Constitu-

tion of the Upper Chamber, have appeared to require distinct and separate notice. Questions of minor consequence and matters of detailed arrangement may properly be reserved for a future time, when the Provisions of the Bill, intended to be submitted to the Imperial Parliament, shall come under consideration. Her Majesty's Government anticipate no serious difficulty in this part of the case,—since the Resolutions will generally be found sufficiently explicit to guide those who will be entrusted with the preparation of the Bill. It appears to them, therefore, that you should now take immediate measures in concert with the Lieutenant-Governors of the several Provinces, for submitting to their respective Legislatures this project of the Conference;—and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect. It will probably be found to be the most convenient course, that, in concert with the Lieutenant-Governors, you should select a deputation of the persons best qualified, to proceed to this country;—that they may be present during the preparation of the Bill, and give to Her Majesty's Government the benefit of their counsel upon any questions which may arise during the passage of the measure through the two Houses of Parliament.

I have, &c.

(Signed) EDWARD CARDWELL.

Viscount Monck,  
&c., &c., &c.

*Copy of a Despatch from His Grace the Duke of Newcastle, K. G., to the Earl of Mulgrave, referred to at page 3.*

Downing Street, 6th July, 1862.

My Lord,

I have duly received your Lordship's Despatch, No. 47, of the 21st of May, accompanied by a copy of a Resolution which was passed in the House of Assembly on the 15th of April, 1861, relative to an amalgamation of part or all of the British Provinces in North America. The Resolution points out that the question might be considered either of a distinct union of the Maritime Provinces or of a general union of them with Canada, and suggests that it might be desirable upon so important a subject to ascertain the policy of Her Majesty's Government, and to promote a consultation between the leading men of the Colonies.

Your Lordship explains that for various



reasons your Government were of opinion that it would be inexpedient to act on this Resolution last year, but that they now wish it to be brought under consideration.

No one can be insensible to the importance of the two measures which are alluded to, and I am far from considering that they do not form a very proper subject for calm deliberation. They are, however, of a nature which renders it especially fit that if either of them be proposed for adoption, it should emanate in the first instance from the Provinces, and should be concurred in by all of them which it would affect. I should see no objection to any consultation on the subject amongst the leading members of the Governments concerned. But whatever the result of such consultation might be, the most satisfactory mode of testing the opinion of the people of British North America would probably be by means of Resolution, or Address, proposed in the Legislature of each Province by its own Government.

Beyond this expression of the views of

Her Majesty's Government as to the preliminary steps which might be taken towards the decision of this great question, I am not prepared to announce any course of policy, upon an invitation proceeding from one only of the British North American Provinces, and contained in a Resolution of so general and vague a character as that which you have transmitted to me. But if a union, either partial or complete, should hereafter be proposed with the concurrence of all the Provinces to be united, I am sure that the matter would be weighed in this country both by the public, by Parliament, and by Her Majesty's Government, with no other feeling than an anxiety to discern and promote any course which might be the most conducive to the prosperity, the strength, and the harmony of all the British communities in North America.

I have, &c.,

(Signed) NEWCASTLE.

The Earl of Mulgrave,  
&c. &c. &c.

### III.

## REPORT OF HER MAJESTY'S COMMISSIONERS APPOINTED TO CONSIDER THE SUBSCRIPTIONS, DECLARATIONS, AND OATHS REQUIRED TO BE MADE AND TAKEN BY THE CLERGY OF THE UNITED CHURCH OF ENGLAND AND IRELAND.

(Presented to both Houses of Parliament by command of Her Majesty.)

To the Queen's Most Excellent Majesty.

I. Your Majesty having been pleased to issue Commissions authorizing and appointing us to "consider and revise the various Forms of Subscription and Declaration required to be made by the Clergy of the United Church of England and Ireland on Ordination, or on Appointment, Admission, or Induction to any Ecclesiastical Dignity, Benefice, Curacy, Lectureship, or Office, and to report our Opinion how far they may be altered and simplified consistently with due Security for the declared Agreement of the Clergy with the Doctrines of the Church, and their Conformity to its Ritual;" and also "to consider the various Oaths required to be taken by the Clergy of the United Church of England and Ireland on Ordination, or on Appointment, Admission, or Induction to any Ecclesiastical Dignity, Benefice, Curacy, Lectureship, or Office, and to report our Opinion as to the Expediency of altering or dispensing with the said Oaths, or any of them, for the

future;" We, Your Majesty's Commissioners, in execution of the duties thus entrusted to us, have considered the existing forms of Subscription and Declaration, with a view to reducing their number and simplifying their character; and for that purpose, we have reviewed the various circumstances which from time to time led to their adoption, and we have had regard to the altered circumstances of our own times. We have also considered whether it is possible to remove from those forms any expressions which have been by some deemed objectionable, and yet to preserve their just force as safeguards for the agreement of the Clergy with the doctrine of the Church, and for conformity to its ritual.

We have further considered whether any of the oaths now appointed to be taken can with safety be altered or dispensed with.

We have not thought it necessary to avail ourselves of the power granted to us

by Your Majesty's Commissions of taking evidence on the subjects submitted to our consideration, since we have not found, in the course of our investigations, any points which appeared to us to require such a proceeding for their elucidation or settlement.

II. The Subscriptions, Declarations, and Oaths now required from the Clergy of the United Church of England and Ireland (excluding the Declarations embodied in the questions and answers in the Ordination Services, which do not appear to come within the scope of our inquiry) are as follows:—

#### ENGLAND.

##### ON ORDINATION AS DEACON OR PRIEST.

Every person ordained Deacon or Priest is required:—

1. To subscribe to the Articles of Religion as enjoined by the Statute of Elizabeth.—13 Eliz. c. 12. s. 5.
2. To subscribe to the Three Articles of the 36th Canon, relating to:—  
  - a. The Royal Supremacy.
  - b. The Book of Common Prayer.
  - c. The Thirty-nine Articles.
3. To take the Oath of Allegiance and the Oath of Supremacy.—1 Eliz. c. 1. and 1 Wm. & Mar. c. 8.

##### ON BEING LICENSED TO A STIPENDIARY CURACY.

Every person licensed to a Stipendiary Curacy is required:—

- 1, 2, & 3. To make the Subscriptions and take the Oaths required on Ordination as above mentioned.
4. To make and subscribe a Declaration as to the Stipend to be received.—1 & 2 Vict. c. 106. s. 81.
5. To take the Oath of Canonical Obedience.
6. To subscribe to a Declaration of conformity to the Liturgy.—13 & 14 Chas. II. c. 4. s. 8. (Act of Uniformity).
7. To read publicly in Church the Bishop's Certificate that the Declaration of Conformity to the Liturgy has been made, and the Declaration itself.—13 & 14 Chas. II. c. 4. s. 11.

##### ON INSTITUTION OR COLLATION TO A BENEFICE WITH CURE, OR LICENCE TO A PERPETUAL CURACY.

Every Person instituted or collated to a Benefice with Cure, or licensed to a Perpetual Curacy is required:—

- 1, 2, 3, 5, 6, & 7. To make the Subscriptions and Declarations, and take the Oaths required on being

licensed to a Stipendiary Curacy, as above mentioned, except the Declaration as to the stipend to be received.

8. To read publicly in Church the Articles of Religion as enjoined by the Statute of Elizabeth, with declaration of unfeigned assent to the same.—13 Eliz. c. 12. s. 3.
9. To read publicly in Church the Morning and Evening Prayers, with declaration of unfeigned assent and consent to all and every thing contained and prescribed in and by the Book of Common Prayer.—13 & 14 Chas. II. c. 4. s. 6.
10. To take the Oath against Simony required by the 40th Canon.
11. To take and subscribe, in one of the Superior Courts at Westminster, or at Quarter Sessions, the Oath of Allegiance, &c. prescribed by 21 & 22 Vict. c. 48.

##### ON BEING LICENSED TO A LECTURESHIP

Every Person licensed to a Lectureship is required:—

- 1, 2, 3, 5, 6, & 7. To make the Subscriptions and Declarations, and take the Oaths required on being licensed to a Stipendiary Curacy, as above mentioned, except the Declaration as to the stipend to be received.
12. To read before the Bishop the Thirty-nine Articles, with declaration of unfeigned assent to the same.—13 & 14 Chas. II. c. 4. s. 19.
13. To read publicly in Church, on the first lecture day of every month, the Morning and Evening Prayers, with declaration of unfeigned assent and consent to all and every thing contained and prescribed in and by the Book of Common Prayer.—13 & 14 Chas. II. c. 4. s. 19.

III. We subjoin the various forms of the subscriptions, declarations, and oaths above referred to.

- 1 & 2. *Subscription under 13 Eliz. c. 12, and under the 36th Canon.*

These subscriptions are combined in practice, and the form generally used, is as follows:—

"I, A.B., do willingly and from my heart subscribe to the Thirty-nine Articles of Religion of the United Church of England and Ireland, and to the three Articles in the thirty-sixth Canon, and to all things therein contained."

The three Articles in the 36th Canon are as follows:—

"I. That the Queen's Majesty, under God, is the only Supreme Governor of this Realm, and of all other Her Highness's dominions and countries, as well in all Spiritual or Ecclesiastical things or causes as Temporal, and that no foreign prince, person, prelate, state, or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, Ecclesiastical or Spiritual, within Her Majesty's said realms, dominions, and countries.

"II. That the Book of Common Prayer, and of Ordering of Bishops, Priests, and Deacons, containeth in it nothing contrary to the Word of God, and that it may lawfully so be used; and that he himself will use the form in the said Book prescribed, in public Prayer, and Administration of the Sacraments, and none other.

"III. That he alloweth the Book of Articles of Religion agreed upon by the Archbishops and Bishops of both provinces, and the whole Clergy in the Convocation holden at London in the year of our Lord God one thousand five hundred sixty and two; and that he acknowledgeth all and every the Articles therein contained, being in number nine and thirty, besides the ratification, to be agreeable to the Word of God."

3. *Oaths of Allegiance and Supremacy, under 1 Eliz. c. 1, and 1 Wm. & Mar. c. 8.*

"I, *A.B.*, do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria. So help me God."

"I, *A.B.*, do swear, That I do from my heart abhor, detest, and abjure as impious and heretical, that damnable doctrine and position that princes excommunicated or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, Ecclesiastical or Spiritual, within this realm. So help me God."

The Oath required by the Rubric to be taken during the Ordination and Consecration Services, and called in the Service for the Ordering of Deacons "the Oath of the Queen's Sovereignty," is identical with the Oath of Supremacy just stated. The practice has been to administer the Oath of Allegiance also during those services.

4. *Declaration as to Curates' Stipends, under 1 & 2 Vict. c. 106. s. 81.*

This Declaration is writtten at the foot of the nomination to the curacy, and is as follows:—

"We, the before-mentioned *A.B.* [incumbent] and *C.D.* [curate], do declare to the Lord Bishop of \_\_\_\_\_, as follows, namely:—I, the said *A.B.*, do declare that I *bonâ fide* intend to pay, and I, the said *C.D.*, do declare that I *bonâ fide* intend to receive, the whole actual stipend mentioned in the foregoing nomination and statement, without any abatement in respect of rent, or consideration for the use of the glebe house, and without any other deduction or reservation whatever."

5. *Oath of Canonical Obedience.*

This oath has been uniformly required, not by any Statute or Canon, but by custom. The form generally used is as follows:—

"I, *A.B.*, Clerk, do swear that I will pay true and canonical obedience to the Lord Bishop of *C.* and his successors, in all things lawful and honest."

We may notice here, that an oath, analogous to that of canonical obedience, is taken by Bishops during the consecration service as prescribed by the Rubric. This oath is as follows:—

"In the name of God. Amen. I, *N.*, chosen Bishop of the Church and See of *N.*, do profess and promise all due reverence and obedience to the Archbishop and to the Metropolitan Church of *N.*, and to their successors. So help me God, through Jesus Christ."

6 & 7. *Declaration of Conformity to the Liturgy under the Act of Uniformity, 13 & 14 Chas. II. c. 4. s. 8.*

"I, *A.B.*, do declare that I will conform to the Liturgy of the United Church of England and Ireland, as it is now by law established."

8 & 12. *Declaration of Assent to the Articles under 13 Eliz. c. 12.*

There is no settled form for this Declaration.

9 & 13. *Public Declaration in Church of Assent to the Prayer Book under the Act of Uniformity, 13 & 14 Chas. II. c. 4. s. 6.*

"I, *A.B.*, do hereby declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the Book intituled 'The Book of Common Prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to



the use of the United Church of England and Ireland: together with the Psalter of Psalms of David, pointed as they are to be sung or said in Churches; and the Form or Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons.”

10. *Oath against Simony under the 40th Canon.*

“I, *N.N.*, do swear, That I have made no simoniacal payment, contract, or promise, directly or indirectly, by myself, or by any other, to my knowledge, or with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this ecclesiastical dignity, place, preferment, office, or living [respectively and particularly naming the same whereunto he is to be admitted, instituted, collated, installed, confirmed], nor will at any time hereafter perform or satisfy any such kind of payment, contract, or promise, made by any other without my knowledge or consent: So help me God through Jesus Christ.”

11. *Oath of Allegiance, &c., under 21 & 22 Vict. c. 48.*

“I, *A.B.*, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, and will defend her to the utmost of my power against all conspiracies and attempts whatever which shall be made against her person, crown, or dignity; and I will do my utmost endeavour to disclose and make known to Her Majesty, Her heirs, and successors, all treasons and traitorous conspiracies which may be formed against Her or them. And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act intituled ‘An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,’ is and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body being Protestants, hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the Crown of this Realm. And I do declare that no foreign Prince, Person, Prelate, State, or Potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, Ecclesiastical or Spiritual, within this Realm. And I make this declaration upon the true faith of a Christian. So help me God.”

## IRELAND.

### IV.—ON ORDINATION AS DEACON OR PRIEST.

Every person ordained Deacon or Priest is required:—

1. To subscribe to the first four Irish Canons, relating to:—
  - a. The Thirty-nine Articles.
  - b. The Royal Supremacy.
  - c. The Book of Common Prayer.
  - d. The Book of Ordering Bishops, Priests, and Deacons.
2. To take and subscribe the Oath of Allegiance, &c., prescribed by the 21 & 22 Vict. c. 48. (*vid. inf. p. 14, l. 22*).
3. To make and subscribe a Declaration against Transubstantiation, &c. 3 Wm. & Mar. c. 2. s. 5.

### ON BEING LICENSED TO A STIPENDIARY CURACY.

Every person licensed to a Stipendiary Curacy is required:—

- 1, 2, & 3. To make the Subscriptions and take the Oath required on Ordination as above mentioned.
4. To take the Oath of Canonical Obedience.
5. To subscribe to a Declaration of conformity to the Liturgy.—17 & 18 Chas. II. c. 6. s. 5. (Irish Act of Uniformity).
6. To read publicly in Church the Bishop’s Certificate that the Declaration of Conformity to the Liturgy has been made, and the Declaration itself.—17 & 18 Chas. II. c. 6. s. 6.

### ON INSTITUTION OR COLLATION TO A BENEFICE WITH CURE, OR LICENCE TO A PERPETUAL CURACY.

Every person instituted or collated to a Benefice with Cure, or licensed to a Perpetual Curacy, is required:—

- 1, 2, 3, 4, 5, & 6. To make the Subscriptions and Declarations, and take the Oaths required on being licensed to a Stipendiary Curacy, as above mentioned.
7. To read publicly in Church the Morning and Evening Prayers, with declarations of unfeigned assent or consent to all and every thing contained and prescribed in and by the Book of Common Prayer.—17 & 18 Chas. II. c. 6. s. 3.
8. To take the Oath against Simony required by the 35th Irish Canon.
9. To take and Subscribe, in one of the Superior Courts at Dublin, or at Quarter Sessions, the Oath of

Allegiance, &c., prescribed by 21 & 22 Vict. c. 48.

And in the case of admission to a Benefice which paid First Fruits,—

10. To take the Oath to keep a School for teaching English required by 28 Hen. VIII. c. 15. (*Irish.*)

#### ON BEING LICENSED TO A LECTURESHIP.

Every person licensed to a Lectureship is required—

- 1, 2, 3, 4, 5, & 6. To make the Subscriptions and Declarations, and take the Oaths required on being licensed to a Stipendiary Curacy, as above mentioned.
11. To read before the Bishop the Thirty-nine Articles, with Declaration of unfeigned assent to the same.—17 & 18 Chas. II. c. 6. s. 13.
12. To read publicly in Church, on the first lecture day of every month, the Morning and Evening Prayers, with declaration of unfeigned assent and consent to all and every thing contained and prescribed in and by the Book of Common Prayer.—17 & 18 Chas. II. c. 6. s. 13.

V.—The forms of such of the Subscriptions, Declarations, and Oaths in use in Ireland as differ from those in use in England are as follows:—

#### 1. Subscription under the 32nd Irish Canon.

The Subscription to the first four Irish Canons, required by the 32nd Irish Canon, is made by subscribing a roll on which those four Canons are engrossed. They are as follows:—

1st (Irish) Canon.—Of the Agreement of the Church of England and Ireland in the profession of the same Christian religion.

“For the manifestation of our agreement with the Church of *England*, in the confession of the same Christian faith, and the doctrine of the Sacraments: We do receive and approve the Book of Articles of Religion agreed upon by the Archbishops and Bishops, and the whole clergy in the convocation holden at *London*, in the Year of our Lord 1562, for the avoiding of diversities of opinions, and for the establishing of consent touching true religion. And, therefore, if any hereafter shall affirm, that any of those articles are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto, let him be excommunicated, and not absolved before he make a public revocation of his error.”

2nd (Irish) Canon.—The King’s supremacy in causes ecclesiastical to be maintained.

“All ecclesiastical persons having cure of souls, and all other preachers and readers of divinity lectures, shall to the utmost of their wit, knowledge, and learning, purely and sincerely (without any colour or dissimulation) teach, manifest, open, and declare, four times every year (at the least) in their sermons, and other collations and lectures, That all usurped and foreign power (forasmuch as the same hath no establishment nor ground by the law of God) is for most just causes taken away and abolished: and that, therefore, no manner of obedience or subjection within His Majesty’s realms and dominions is due unto such foreign power; but that the King’s power within His realm of Ireland, and all other His dominions and countries, is the highest power under God, to whom all men, as well inhabitants as born within the same, do by God’s laws owe all loyalty and obedience, and to no other foreign power and potentate in the earth. And whosoever shall hereafter maintain, that the King’s Majesty hath not the same authority in causes ecclesiastical, that the godly kings had among the Jews, and Christian Emperors in the primitive Church, or impeach in any part his regal supremacy in the said causes restored to the Crown, and by the laws of this realm therein established, let him be excommunicated, and not restored but only by the Archbishop of the province, after his repentance, and public revocation of his error.”

3rd (Irish) Canon.—Of the prescript Forms of Divine Service contained in the Book of Common Prayer.

“That form of Liturgy or Divine Service, and no other, shall be used in any church of this Realm, but that which is established by the law, and comprised in the Book of Common Prayer and administration of Sacraments. And if any one shall preach, or by other open words declare or speak any thing in the derogation or despising of the said Book, or of any thing therein contained, let him be excommunicated, and not restored until he repent, and publicly revoke his error.”

4th (Irish) Canon.—Of the Form of consecrating and ordering Archbishops, Bishops, &c., and of the Churches established according to that Order.

“That form of Ordination and no other shall be used in this Church, but that which is contained in the Book of

ordering Bishops, Priests, and Deacons, allowed by authority, and hitherto practised in the Churches of England and Ireland. And if any shall affirm, that they who are consecrated or ordered according to those rites are not lawfully made, nor ought to be accounted either Bishops, Priests, or Deacons; or shall deny that the Churches established under this Government are true Churches, or refuse to join with them in Christian profession, let him be excommunicated, and not restored until he repent, and publicly revoke his error."

2. *Declaration against Transubstantiation, &c. required from the Irish Clergy under 3 Will. & Mary, c. 2.*

"I, A.B., do solemnly and sincerely, in the presence of God, profess, testify, and declare, that I do believe, that in the Sacrament of the Lord's Supper there is not any Transubstantiation of the elements of bread and wine into the body and blood of Christ, at or after the consecration thereof by any person whatsoever; and that the Invocation or Adoration of the Virgin Mary, or any other Saint, and the sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by Protestants, without any evasion, equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without believing that I am or can be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons or powers whatsoever, should dispense with or annul the same, or declare that it was null and void from the beginning."

3. *Oath required from the Irish Clergy under the 28th Hen. VIII. c. 15. (Irish) on admission to a Benefice which paid First Fruits.*

"I, A.B., do swear that I will instruct or cause to be instructed by a deputy the children of my parish in the English tongue according as the law requires."

The forms of the Oath against Simony, under the 35th Irish Canon, of the Declarations of Conformity to the Liturgy and

of Assent to the Book of Common Prayer, under the Irish Act of Uniformity (17 & 18 Chas. II. c. 6.) are the same as in England. The form of the Oath of Canonical Obedience is substantially the same. The Oath of Allegiance, &c. used in Ireland is that prescribed by 21 & 22 Vict. c. 48. and stated above (p. 304), the construction put upon that Act in Ireland being different from that which has been adopted in England.

VI.—The material clauses of the English and Irish Acts of Parliament, and the English and Irish Canons on which the above Subscriptions, Declarations, and Oaths depend, will be found in the Appendix.

## RECOMMENDATIONS.

VII.—We have carefully weighed these various Subscriptions, Declarations, and Oaths, and after much investigation and discussion, we have agreed to the following Recommendations:—

*First*, that the Declarations, Subscriptions, and Oaths to be made and taken by the Clergy of the United Church of England and Ireland be the same in England and Ireland; and that the Oath required by 28 Hen. VIII. c. 15. and the Declaration required by 3 Wm. & Mar. c. 2. to be taken and made by the Clergy in Ireland be discontinued.

*Second*, that on every occasion on which a Subscription or Declaration shall be required to be made in England or Ireland, with reference to the Articles of Religion, or the Book of Common Prayer, the following form be used:—

I, A.B., do solemnly make the following declaration:—

"I assent to the Thirty-nine Articles of Religion, and to the Book of Common Prayer, and of Ordering of Bishops, Priests, and Deacons: I believe the doctrine of the United Church of England and Ireland, as therein set forth, to be agreeable to the Word of God: and in Public Prayer and Administration of the Sacraments I will use the form in the said Book prescribed, and none other, except so far as shall be ordered by lawful authority.

*Third*, that the Oath of Allegiance and Supremacy be taken before, and not during, the Ordination and Consecration services.

*Fourth*, that the following Declaration be substituted for the present oath against Simony:—

"I, A.B., solemnly declare that I have not made by myself, or by any other person on my behalf, any payment, contract, or promise of any kind whatsoever,



which to the best of my knowledge is simoniacal, touching or concerning the obtaining the preferment of \_\_\_\_\_; nor will I at any time hereafter perform or satisfy, in whole or in part, any such kind of payment, contract, or promise made by any other without my knowledge or consent."

*Fifth*, that the Oath of Canonical Obedience to the Bishop of the Diocese, and the Oath of due obedience to the Archbishop taken by Bishops on consecration, be retained.

*Sixth*, that the Declaration required by the 1st & 2nd Vict. c. 106. s. 81. as to the stipends of Curates, be retained in England, and extended to Ireland.

*Seventh*, that the special Provisions of the English and Irish Acts of Uniformity (13 & 14 Chas. II. c. 4. s. 19. and 17 & 18 Chas. II. c. 6. s. 13.), with reference to the Declarations to be made by Lecturers, be repealed.

*Eighth*, that the time and manner of making the Subscription and Declaration, and of taking the Oaths be as follows:—

#### BEFORE ORINATION AS DEACON OR PRIEST.

Every person about to be ordained Deacon or Priest shall, previously to Ordination, in the presence of the Bishop, at some convenient time and place:—

1. Take the Oath of Allegiance and Supremacy.
2. Make and subscribe the Declaration of Assent as set forth:—

I, *A.B.*, do solemnly make the following Declaration:—

"I assent to the Thirty-nine Articles of Religion, and to the Book of Common Prayer, and of Ordering of Bishops, Priests, and Deacons: I believe the doctrine of the United Church of England and Ireland, as therein set forth, to be agreeable to the Word of God: and in Public Prayer and Administration of the Sacraments I will use the form in the said Book prescribed, and none other, except so far as shall be ordered by lawful authority."

#### ON BEING LICENSED TO A STIPENDIARY CURACY.

Every person about to be licensed to a Stipendiary Curacy shall, before the licence is granted:—

1. Make and subscribe the Declaration as to the stipend to be received prescribed by the 1st & 2nd Vict. c. 106.  
And in the presence of the Bishop or his Commissary:—
2. Take the Oath of Allegiance and Supremacy.

3. Make and subscribe the Declaration of Assent.

But if the licence is granted on the day of Ordination, the Declaration and Subscription need not be repeated.

4. Take the Oath of Canonical Obedience.

And every person licensed to a Stipendiary Curacy shall, in the Church in which he is licensed to serve, in the presence of the Congregation, on the first Sunday on which he officiates therein:—

5. Make the Declaration of Assent.

#### ON INSTITUTION OR COLLATION TO A BENEFICE WITH CURE, OR LICENCE TO A PERPETUAL CURACY.

Every person about to be instituted or collated to any Benefice with Cure, or to be licensed to any Perpetual Curacy shall, in the presence of the Bishop or his Commissary:—

1. Take the Oath of Allegiance and Supremacy.
2. Make and subscribe the Declaration of Assent.
3. Make the Declaration against Simony as above set forth.
4. Take the Oath of Canonical Obedience.

And, Every person instituted or collated to any Benefice with Cure, or licensed to any Perpetual Curacy, shall, in the presence of the Congregation assembled in the Church thereof, on the first Sunday on which he officiates therein, or on such other Sunday as the Ordinary may appoint or allow, after reading the Morning and Evening Prayers according to the Statutes, and after reading the Thirty-nine Articles:—

5. Make the Declaration of Assent, adding after the words "Thirty-nine Articles of Religion," the words "which I have now read before you."

#### ON BEING LICENSED TO A LECTURESHIP.

Every person about to be licensed to a Lectureship shall, in the presence of the Bishop or his Commissary:—

1. Take the Oath of Allegiance and Supremacy.
2. Make and subscribe the Declaration of Assent.
3. Take the Oath of Canonical Obedience.

#### ON APPOINTMENT TO ANY OTHER ECCLESIASTICAL DIGNITY, BENEFICE, OR OFFICE.

Every person in Holy Orders appointed to any Ecclesiastical Dignity, Benefice, or Office other than those above mentioned, who on such appointment would now be required to make or subscribe any Declaration with reference to the Thirty-nine Articles, the Book of Common Prayer, or the Liturgy, or to take

the Oath against Simony, shall, in lieu thereof respectively, make or subscribe the Declaration of Assent, and the Declaration against Simony.

VIII.—In addition to the above recommendations, we submit the following suggestions with regard to two subjects, which do not, perhaps, fall strictly within the limits of the inquiry with which we have been charged by your Majesty :—

1. We have recommended the substitution of a Declaration for the present oath against Simony; to this recommendation we desire to add an expression of our opinion, that the law on the subject of Simony urgently requires revision.

2. There is another class of Oaths, “required to be taken by the Clergy of the United Church of England and Ireland,” on admission to certain Ecclesiastical Dignities, namely, those taken in virtue of Cathedral Statutes by Bishops, Deans, Archdeacons, and Canons. We have considered this subject, and being of opinion that some doubt may be entertained whether the Oaths in question fall within the scope of Your Majesty’s Commission, we content ourselves with expressing our opinion that it is highly desirable they should be revised by competent authority.

IX.—These recommendations we now humbly offer to Your Majesty. To carry them into effect, some alterations must be made in the Canons of the Church, and

some in the Statutes of the Realm. We trust that our proposals will be willingly accepted both by the Church and by the State.

C. T. CANTUAR :	(L.S.)
W. EBOR :	(L.S.)
MARCUS G. ARMAGH.	(L.S.)
RICHARD C. DUBLIN.	(L.S.)
STANHOPE.	(L.S.)
HARROWBY.	(L.S.)
A. C. LONDON.	(L.S.)
C. R. WINTON :	(L.S.)
C. ST. DAVID’S.	(L.S.)
S. OXON :	(L.S.)
LYTTELTON.	(L.S.)
CRANWORTH.	(L.S.)
EBURY.	(L.S.)
E. P. BOUVERIE.	(L.S.)
STEPHEN LUSHINGTON.	(L.S.)
SPENCER H. WALPOLE.	(L.S.)
JOSEPH NAPIER :	(L.S.)
JOHN TAYLOR COLERIDGE.	(L.S.)
CHARLES BUXTON.	(L.S.)
H. H. MILMAN.	(L.S.)
H. GOODWIN.	(L.S.)
JOHN SANDFORD.	(L.S.)
WILLIAM JACOBSON.	(L.S.)
J. A. JEREMIE.	(L.S.)
HENRY VENN.	(L.S.)
W. G. HUMPHREY.	(L.S.)

THOMAS FASSETT KENT,  
*Secretary.*

9th February, 1865.

#### IV.

### DESPATCHES AND CORRESPONDENCE RESPECTING THE MURDER OF MAJOR BALDWIN AND LIEU- TENANT BIRD AT KAMAKURA, IN JAPAN.

(From Papers presented to both Houses of Parliament.)

*Sir R. Alcock to Earl Russell.*—(Received January 26, 1865.)

(Extract.)

Yokohama, November 29, 1864.

It is with great regret that just on the eve of my departure from this country I have to report another outrage to be added to the long series of barbarous murders in which foreigners have been the victims.

The covering despatches of Mr. Consul Winchester, with their several enclosures, will put your Lordship in possession of the leading circumstances attending this last painful evidence of the continued insecurity of life in Japan. The enclosed printed slip, giving the proceedings of the Coroner’s inquest together with a summary, although not official, is essentially accurate,

and will supply the place of the record which there is not time to copy.

Major Baldwin and Lieutenant Bird, both officers of the 2nd Battalion 20th Regiment in garrison here, made an excursion on the 20th instant to Kamakura, a large temple within the limits of the port, but some seventeen miles from this. They were waylaid, it appears by evidence, about two o’clock that afternoon, close to the avenue of the temple where three roads meet, by a couple of two-sworded men, and cut down. The evidence of a little boy about eleven years old is by far the most explicit and trustworthy. He says he saw the two officers riding leisurely one after the other, the younger (Lieutenant Bird) first; and then two samurais, who had already roughly warned him to go away as there was danger,

draw their swords and rush upon the unsuspecting travellers. The first was instantly dismounted, when the boy in terror took fright and saw no more.

About one o'clock the following morning, the Governor of Kanagawa came to Mr. Consul Winchester's house, and informed him that he had heard two foreigners, said to be English officers, had been attacked at Kamakura, one killed and the other severely wounded. He admitted that the intelligence had reached Kanagawa three or four hours before, between nine and ten o'clock it seems. This delay he explains by stating that his residence being some distance out of the town, and the Vice-Governor having first to be found, a considerable time had elapsed before he could himself take any steps; that he had then instantly despatched some of his own officers to the scene of the murder, and subsequently walked to the Consul's house, a distance of some two miles or more; when he also lost some time gaining admission.

This was not very satisfactory, but unfortunately it was not without many precedents. It appears to be the invariable rule, in all cases where foreigners have been murdered, in the first place to send, for instructions no doubt, to the Government at Yeddo, and despatch their own emissaries to the scene. The last step is taken, I believe, with the object principally of securing what evidence is to be had on the spot, and providing against any being given to the foreign Consuls, other than such as they, the authorities, shall deem fitting or expedient.

I mention these circumstances because in the present instance this common practice has a very painful bearing on the worst features of this deplorable case.

The evidence of all the Japanese leaves no doubt that one of the officers survived many hours, certainly, if any of them are to be believed, until ten P.M. It is further established that the survivor was Lieutenant Bird, his companion Major Baldwin having been killed on the spot, by the concurrent testimony of several eye-witnesses.

The dead and the living were removed, after an uncertain interval of an hour or two, to the vicinity of a tea-house, and there laid together on mats stretched on the ground, and a bamboo shed raised over them. The Chief or head man of the nearest village was sent for by some of the country people who first saw, or admit that they saw, the mangled foreigners; and from about five P.M. they must be held to have been in his custody. By his order they appear to have been removed from the place where they fell, a Japanese doctor

sent for, watches in charge set over them, and a messenger despatched to the Governor at Kanagawa with information of the deed. The doctor and others depose to have been with the survivor, to have heard him speak, move his head, drink water, or seem to drink it, and medicine. This until about ten o'clock, when they say he died. Up to that time the doctor deposes he remained with him.

The horrible circumstance connected with these facts is, the evidence of the surgeons, after careful post-mortem examination of the wounds, that one which Lieutenant Bird received across the back of the neck had divided the spine across the bodies of the second and third cervical vertebræ, completely severing the spinal cord at that point; and they declare that, after receiving such a wound he could not have survived, but must have died almost instantaneously.

The only inference upon such evidence is, that this unhappy victim of Japanese treachery received his death-wound while in the custody of his keepers, and many hours after the first onslaught. If so, by whom was this last wound given, and with what motive? Where were the men, placed in charge? Were they accomplices and present, or merely faithless to their charge and absent, or driven away and accessories after the fact? The tomb is not more silent than they are on any matter tending to throw light upon a second deed of treachery. They declare they remained by the wounded man until he died, unmolested and undisturbed by any one.

If the report of the two regimental surgeons is to be implicitly relied upon—and it is too precise in its terms and specific in its evidence on the one point essential, the severance of the spinal cord at the part indicated and by a clean cut, apparently the same which divided the bones of the vertebræ and the covering soft parts, to leave any reasonable ground of doubt—there is an end of all question as to the fact of a deed of murder with connivance of his custodians, of almost incredible atrocity. The only possible alternative, the supposition that the wound first given may have divided the fleshy parts and the bones only, and the cord thus unprotected may have been torn across in moving the body before surgical scrutiny when it arrived in Kanagawa, seems to be negatived by the very distinct nature of the evidence of the two surgeons; they state that they ascertained that it had been completely severed, and by a clean cut, in the exact direction of the external wound.

But on this assumption, as many of the witnesses depose to a wound in the neck, and he had but one, we are driven to the



scarcely less perplexing conclusion that many hours later a final act of butchery was perpetrated under circumstances all but incredible. The assassin must have turned over the helpless body of his victim and struck a savage blow down through the spine, so exactly in the line of the original wound as not to be distinguishable from the first, or thrust a sharp-bladed knife into the first wound, dividing the cord and that only, almost with surgical precision. But this implies a degree of forethought and calculation, if not of scientific knowledge as to the functions of the spine, of which I do not believe Japanese samurais capable. It would seem much more natural, if any of the same class as the original assailant had desired to put an end to the foreigners, to conclude they would have taken the simplest and most expeditious mode, and drawn a short sword across his throat or plunged it into his body. They might make sure of the silence of any Japanese, and no foreigner had seen either victim, to count or describe the wounds first received, and so betray the fact that another had been subsequently added.

I confess the difficulty appears to me equally great whichever view be taken; that indicated by the surgeons' report, or the other suggesting the possibility of their being mistaken, not as to the severance of the cord, but the mode and time when this may have taken place, before or after death.

Colonel Browne was immediately communicated with, and a party of mounted artillery at once despatched to Kamakura, with Mr. Fletcher as interpreter, where they arrived soon after daybreak; and after examining the ground in the vicinity, and endeavouring without success to get some information, they returned with the bodies.

Sakai Hida no Kami, one of the Second Council was sent to me from Yeddo by the Gorogio, on the evening of the first day, to convey their condolences—the expression of their regret that such an event had occurred, at this moment above all others, when the relations of the Tycoon's Government with foreign Powers were daily assuming a more satisfactory character. The Vice-Minister seemed really affected, and assured me in the most earnest manner that no efforts should be spared to track the murderers, and, if possible, have them executed on the very scene of their crime before I took my departure. The enclosed official communication to the Gorogio on the subject was despatched the same day.

I believe, as I stated therein, that the Tycoon and his Council alike deplore the perpetration of such a crime, at this time

more especially. I think it is very probably the act of those who are equally hostile to him and to foreigners. There does not seem to have been any personal motive connected either with the victims individually or their nationality. They were not in uniform, or otherwise distinguishable from other foreigners who were in the neighbourhood on the same day, visitors and residents. It seems to have been neither more nor less than one of those periodical manifestations of deadly hatred and political fanaticism of which we have had too many examples, and directed against all foreigners indiscriminately. They might have been French, Dutch, American, or of any other nation. It is extremely improbable that the assailants knew or cared to know what was their country. They were out like Red Indians in their war paint on a scalping expedition; and watched their opportunity to cut to pieces the first unsuspecting strangers they fell in with.

They have been tracked, so the authorities inform me, into Yeddo, and out again on the middle tokaido leading to Kioto<sup>2</sup>. There seems to be some hope, therefore, of their arrest. All the more that their leaving Yeddo so promptly is tolerable evidence that the Government is so actively in pursuit as to have given them a sense of insecurity even in the cover which a great city affords.

But it is impossible to forget that twelve similar onslaughts have been made on foreigners, and in no one instance has justice had its due. Even in the only case where men were executed—three of those concerned in the first attack on the Legation—the Government did not venture, in exposing their heads, to declare their crime or admit that it was for an attack upon foreigners.

Long experience has shown, as a matter of fact, that every foreigner coming to Japan carries his life in his hands, and is exposed to the fatal contingency of being suddenly set upon, and without the slightest warning or provocation to be cut down in open day by ruffians of the two-sworded class.

The main source of this danger is probably to be sought in the disturbed state of the country, and the weakness of the Tycoon's Government, both combined. Feudal jurisdiction and territorial divisions are great impediments in the administration of justice and facilitate escape; and this is another cause of insecurity to life. The prevalence among the dangerous classes who are privileged to wear two swords wherever they go, of a politi-

<sup>2</sup> This has since been contradicted.—R.A.

cal fanaticism, in which hatred to foreign intrusion and the innovations on old customs and privileges which come in their train, is no doubt a predominant motive of action with most of the assassins. This feeling of a national character more or less underlies, if it does not directly prompt the *guet-apens* in which foreigners fall. In some cases there is probably an ulterior object of a more definite kind and strictly political character. Hostile parties seek by such outrages to embroil the Tycoon with foreign Powers, hoping in the confusion that he himself might be more easily got rid of. In other cases it has seemed to be part of a system of terrorism and intimidation, by which the anti-foreign faction hope to secure either the voluntary withdrawal of foreigners from the country, or at all events their restriction to the limits of the foreign Settlement and comparative isolation.

The greatest of all sources of danger, however, in presence of all these various motives for violence, is to be traced to the assured immunity of those who perpetrate the murders. The same enmities and passions might prevail with comparative freedom from danger to the foreigner but for this certain impunity to the offender. No remedy can be effective which stops short of securing the prompt arrest and execution of the perpetrators of these murders. This alone can strike at the root of the evil.

Security to individual life (apart from the general and collective security which has, I hope, been tolerably well assured now as regards the foreign Settlements) — a security which has never existed since the first opening of the ports, will have to be sought, I am thoroughly persuaded, by other means than any yet resorted to, and with that special object in view.

In all the dismal series of butcheries and assassinations, beginning with the Russians, taking each nationality in succession and indiscriminately until this last, of which two British officers are the victims, there is no instance on record of the arrest and punishment of the offenders.

*Consul Winchester to Sir R. Alcock.*

Kanagawa, November 24, 1864.

Sir,

I have the honour to wait upon you with the following report relative to the deaths of Major Baldwin and Lieutenant Bird, of the 2nd Battalion 20th Regiment.

A little before 1 A. M. on the 22nd instant I received a visit from the Governor of Kanagawa, who informed me that two

English officers had been attacked at Kamakura, one of whom was quite dead and the other severely wounded. I asked if they were naval or military officers, but on that point the Governor could give no information. At what hour they had been attacked? and was answered, between 3 and 4 P. M. English time. By whom? By Japanese unknown, doubtless, whom every effort would be made to discover. When and how had the Governor received the information at his residence? At 9 P. M. by a written report from the Chief of the village. What steps had been taken by the Governor? A Shirabiac and party had been despatched at once to Kamakura to give assistance to the wounded survivor, if still alive; the Governor believed that the Japanese doctor of the village was giving what aid he could. Was the Governor certain that one was alive? The report said so, and the messenger who had brought it and had left Kamakura before 7 P. M. confirmed the report. The wounded man had himself said he was an English officer.

I endeavoured to obtain a description of the two officers, and in doing so was told that it was the younger of the two who survived.

Dismissing the Governor with a request to keep some mounted guides and an interpreter ready for immediate service, I at once proceeded to make you a verbal report of the melancholy intelligence.

Arrangements were forthwith made with Colonel Browne, commanding the garrison, for the despatch of a strong party to Kamakura. This detachment consisted of Lieutenant Wood and twenty-five mounted artillerymen, and was accompanied by an assistant surgeon and Mr. Fletcher. It left at once, and returned about 1 P. M. with its melancholy convoy.

Yesterday an inquest sat for five hours, and terminated in a verdict of "Wilful murder against Japanese swordsmen unknown." The original minutes of the proceedings were at once placed in your hands.

The Japanese evidence taken separately by the Governor was rapidly translated by Mr. Fletcher, and read by him as a statement communicated from a third party. I concur with the opinion the jury have expressed of its unsatisfactory character.

Perhaps the most painful consideration remains to be told. Since the Governor left me on Tuesday morning I have had several interviews with Vice-Governors and officers, and have been uniformly assured that it was the fair-haired young man who survived till 7 P. M.; that medicine was offered to him and declined, but that he kept continually calling for water,

which he swallowed, and that he was able to say he was an English officer. In taking down the evidence, the fact of Mr. Bird being the survivor was several times repeated to Mr. Fletcher.

Mr. Bird was tall and thin, with only a downy appearance of hairs on his face. Major Baldwin was several inches shorter, his countenance and figure distinctly indicating middle age, his face of a dark complexion, and covered with an abundant dark beard and moustache and whiskers. The contrast between two men of the same race could hardly have been more striking.

On viewing the body at the time the inquest commenced, the wound in Mr. Bird's neck struck me as quite incompatible with the continuance of life, or the performance of the functions of speaking and swallowing. The severance of the spinal cord between the second and third cervical vertebræ must at once put an end to respiration. This opinion was fully confirmed by Dr. Woodward in his deposition.

The other wounds received by Mr. Bird were on the extremities, and though of the frightful nature usually inflicted by Japanese assassins, would not necessarily have been immediately fatal; whereas the wounds on Major Baldwin's face and back were much more severe and deadly, and though compatible with a short continuance of life hardly with a survivorship of three hours.

The inference from these premises (if they can be depended on) is very sad, viz. that the ruffians finding the prolongation of Mr. Bird's life rendered it possible that he might live to tell his story to some passing foreigner (for besides Mr. Wirgman's party at Fusisawa, there were three or four Dutch naval officers who arrived at Kamakura or Fusisawa before dark, and remained at a tea-house about a mile distant from the spot) finished the hours of the unhappy youth by the *coup de grace* on the neck. A statement was the same evening made to these last gentlemen that two foreigners had been killed, by one of their Japanese boys, who said it came from the landlord of the tea-house; that person on being interrogated denied having said so.

My own impression is that these gentlemen were attacked as they returned from visiting the great statue, before they reached the point where the great road in front of the Hajiman divides, that the horse of one gentleman carried him on to the point on the road towards the sea where the bushes were found sprinkled with blood, and that the body was thence removed to the spot where it was found by Lieutenant Wood and his party; where the other fell, I can form no conjecture.

Such an atrocious crime and melancholy catastrophe have created much excitement among, and cast a gloom over, the whole foreign community. The receipt of the intelligence at night, and the prompt despatch of the mounted party, took away all motive for the wild general rush which heretofore was wont to attend the occurrence of similar catastrophes.

Both Major Baldwin and Mr. Bird were remarkable for their mild and inoffensive disposition, and the former was an officer of recognized discretion and good sense.

I have, &c.,

(Signed) CHARLES A. WINCHESTER.

*Consul Winchester to Sir R. Alcock.*

Kanagawa, November 26, 1864.

Sir,

I have had the honour to place in your hands the notes of the statements made yesterday and to-day by the Japanese witnesses brought to Yokohama from Kamakura, relative to the murder of Major Baldwin and Mr. Bird, of Her Majesty's 20th Regiment.

The evidence was taken yesterday in presence of the Governor, Vice-Governor, an examining magistrate, and numerous staff of Japanese officers; the three captains of the 20th, who sat on the coroner's jury, and Messrs. Fletcher, Siebold and Satow, by whom the interpretation was conducted entirely to my satisfaction.

After each statement had been made, it was read over in Japanese from my written notes, and its correctness acknowledged by the witness; but when on conclusion of the *viva voce* translation of the first statement, I requested that the witness might sign it, the Governor objected to his being called on to do so before his own interpreters had an opportunity of translating it. To-day the procedure was in every respect similar, but the Governor was not present.

The general result of the evidence may be thus briefly stated as follows:—

The unhappy gentlemen, after visiting the colossal statue of Budha, mounted to ride homewards, and were attacked on the same road at or near the little bridge where the hat and two pairs of Japanese clogs were found; that the horse of one carried him on to the point of the road leading towards the sea, about forty yards from the division of the three-fold road leading to the Hajiman; that the officer who survived until ten o'clock P.M. was beyond all question Lieutenant Bird, and that he and the body of Major Baldwin were removed to the court-yard of Yasiyemon's house, possibly for the accommo-



dation of the village authorities, who found it more convenient to watch them in the neighbourhood of a house; that Mr. Bird spoke, swallowed, and moved his head, in a manner not compatible with the then existence of the wound in his neck, according to the description given by Dr. Woodward: that the hat was recognized by the female seller of sweetmeats, who sat at the gate of the temple, as being that of one of two samurais who passed into the great temple, and immediately left it.

I pointed out to the examining officer that, supposing the attack upon these gentlemen not to have been seen by any actual witnesses, the wounded men must have been discovered by some one person or party in the first instance, and that no one had been produced as first giving the alarm. He admitted this, and said that they had been actively trying to discover who the person or persons were.

Also that the priests or officers of the great temple ought to be in a condition to give some account of the two samurais stated by the sweetmeat seller to have gone up to the shrine to pray.

The answer to this was an admission that such inquiries had not been made, and that they would at once be set on foot.

I have, &c.,

(Signed) CHARLES A. WINCHESTER.

*Consul Winchester to Sir R. Alcock.*

Kanagawa, November 29, 1864.

Sir,

I have the honour to continue my report on the evidence taken yesterday and to-day with reference to the recent tragedy. Yesterday the Japanese authorities brought forward a young boy, aged eleven years, who has given the clearest and most circumstantial account as yet received of the details of the attack.

He was proceeding from his mother's house on the Muira road, to buy oil at a shop situated about seventy or eighty yards up the road leading to Daibuts. Before reaching the shop he was accosted by two samurais, who inquired about the path to Enoshima. He then purchased his oil, and was walking homewards; when near the tea-house of the Six Stone Images the same men ran rapidly past him. As he came in front of Kichingoro's house, at the division of the roads, he found these men sitting there, and was roughly warned to leave. It would appear that the boy made off and hid behind some trees in the neighbourhood, and there witnessed the first part of what took place.

The two British officers came riding slowly, one before the other, Mr. Bird being in front. He was attacked simultaneously by both Japanese, the one cutting and the other thrusting, and fell near a well on the further side of the main road. The horror of such a spectacle naturally induced the boy to take flight, and at this point his positive testimony ends.

I infer from this statement that the ruffians, satisfied that the first officer was sufficiently disabled to give no efficient assistance to his companion, at once attacked Major Baldwin as he came up, who probably fell from his horse about thirty yards down the road leading to the sea, the spot where the plentiful blood-traces spoken to at the inquest were discovered. Having finished Major Baldwin they returned to complete their work on Mr. Bird, who may then have recovered enough to fire the shot which was found vacant in the chamber of his revolver, and after doing so had his fingers cut off.

The evidence of the other two Japanese witnesses, taken on the 27th instant, simply served to trace the progress of the samurais to two stations on a bye-road leading to Yeddo, to which city, in the hope that its extent and population would afford their best means of concealment, such ruffians would naturally betake themselves.

The evidence taken to-day was confined to the two medical officers of the 20th Regiment, Drs. Woodward and Hyde, which was taken with the view of placing beyond doubt the character and extent of the wounds inflicted on the neck of Lieutenant Bird; and, in respect to their statements, I have to remark that they leave unqualified the description and painful inferences to which in my first despatch I felt it necessary to allude as resulting from the evidence of Dr. Woodward.

I have &c.,

(Signed) CHARLES A. WINCHESTER.

*Consul Winchester to Sir R. Alcock.*

Kanagawa, November 29, 1864.

Sir,

I have the honour to forward the original notes of evidence taken to-day.

The testimony of the official of the temple simply confirmed the previous accounts of the visit paid by the two samurais, without adding any particulars to those already known.

The keeper of the tea-house near the Six Stone Images, and his wife, obstinately refused to give any information. Afraid

of the betrayal of what they had previously said in confidential gossip, they obstinately denied all knowledge of the circumstances.

I did not fail to point out to the Vice-Governor the unsatisfactory character of the day's inquiry, and again pressed on him the production of such witnesses as would serve to complete the history of the murder.

The Vice-Governor replied that they would endeavour to do so; and went on to observe that the Japanese police, while admitting that the discovery of the details was a matter of real interest, considered them of much less importance now than the information which would lead to a discovery of the two samurais, of whose guilt there was no doubt. Statements of whence they came, where they were born, or whose service they had belonged to, were what they most required to give them a clue to their present movements.

One of the first acts of the Governor on receiving the report from Kamakura, before communicating with myself, had been to despatch a courier to Yeddo, to put the different guard-houses on the approaches to the metropolis on the alert.

I have, &c.,

(Signed) CHARLES A. WINCHESTER.

*Sir R. Alcock to the Japanese Ministers  
for Foreign Affairs.*

Yokohama, Nov. 22, 1864.

Another murder has been added to the long series of assassinations in open day, of which foreigners have been the victims since the signature of the treaties. This morning, about one o'clock, the Consul was roused from his bed to receive from the lips of the Governor of Kanagawa the report of an attack having been made upon two British officers of the 20th Regiment, in which one had been killed and the other grievously wounded, near the Temple of Kamakura.

Some hours later a party of mounted men, sent there by Colonel Browne, found the dead bodies of both officers under a mat shed by the side of the road, horribly gashed and mangled in the way familiar to the ruffians who fall unawares upon inoffensive foreigners in this country, and cut them down from behind with their two-handed swords.

I have seen the Governor of Kanagawa, and urged upon him the necessity of instant and energetic measures to secure the arrest of the murderers. And the Vice-Governor, who had been despatched to the scene of the outrage, has returned, inform-

ing me that the head man of the temple, the head man of the neighbouring village, and the keepers of the adjoining tea-house, have been brought here for examination.

So far, therefore, it would appear there has been no want of good-will or promptitude in the action of the local authorities. But I need hardly remind your Excellencies there is but one thing that can be really satisfactory, and that is the prompt arrest and punishment of the cowardly assassins, whoever they may be, or howsoever protected.

Hitherto, in all similar cases filling up the long and dismal list recorded against Japan, this has been the one thing wanting. It is to this fact we are mainly to attribute the perpetual recurrence of the same deeds of blood—the fact of assured immunity to whoever murders a foreigner. So long as this continues, so long will the lives of strangers be insecure, and the Government of the Tycoon incur fresh and increasing responsibilities towards foreign Powers. If the assassins who killed the French officer, Lieutenant Camus, had been discovered, convicted, and publicly executed, we should not now, I believe, have to deplore the untimely death of two British officers. No measures of precaution or protection can avail to give security to life, so long as every ronin or two-sworded ruffian in the country feels that of all the crimes open to him to commit there is none so sure of impunity as the murder of a foreigner.

Where, then, is this to end? Sooner or later, the Treaty Powers will undoubtedly feel under the necessity of demanding from the Government of Japan, whoever may be the depositaries of the governing power, better security for the lives of their subjects; such security, at least, as the punishment of those who take them by violence would afford. It is for the Tycoon's Government to anticipate this in vindication of their good faith, by doing now what has never yet been done, and bring the criminals to justice.

I have no doubt the Tycoon's Government deplores the frequent recurrence of these atrocious acts of violence against foreigners. I have as little doubt that they are the acts of men who are the enemies of the Tycoon, and who would willingly convulse the country with war both civil and foreign. But the ever-recurring escape of criminals butchering the subjects of foreign Powers in cold blood and without provocation, will prove more dangerous in the end to the Tycoon and the stability of his Government than the worst efforts of his enemies directed against himself. For these reasons, in addition to all others, I urge upon your

Excellencies the importance of immediate action, and the necessity for such effective efforts to secure the persons of these murderers as shall make success both certain and prompt.

With respect and consideration.

(Signed) RUTHERFORD ALCOCK.

*Lieutenant-Colonel Browne to Sir R. Alcock.*

Yokohama, Nov. 27, 1864.

Sir,

On the 21st of the present month Major George Walter Baldwin and Lieutenant Robert Nicholas Bird, both of Her Majesty's 20th Regiment, now serving under my command, were assassinated in the village of Kamakura, in this neighbourhood, under circumstances of the greatest atrocity.

These gentlemen were not trespassing

or transgressing, but were barbarously murdered in cold blood at a place of ordinary resort, and on the public highway.

I thank your Excellency for the prompt communications had with the Government of this country, and hope against hope that justice may overtake the offenders.

I desire, and it is my duty, to record the death of these officers, and to request that their terrible fate may be brought with the least delay, to the consideration of Her Majesty's Government.

Your Excellency needs not to be reminded that this murder adds one more to the long list of victims who have suffered in this country, and that it is but the forerunner of future calamities, unless example and speedy retribution follows.

I have, &c.,

(Signed) H. R. BROWNE,

Lieutenant-Colonel, 20th Regiment, Commanding Her Majesty's Troops in Japan.

## METEOROLOGICAL TABLES.

### THE WEATHER OF 1864 AT THE HIGHFIELD-HOUSE OBSERVATORY.

#### JANUARY.

The year commenced with a very high state of the barometer, which reached the *maximum* at 10 P.M. on the 3rd—viz., 30·720in. reduced to sea level; it was also high on the 4th, 5th, 29th, and 30th, the mean for the whole month being 30·2in. reduced to sea level. No rain fell till the 10th, and only 0·7in. throughout the month. A severe frost occurred during the first nine days, the temperature being as low as 7·7 deg. on the 7th, and never rising above 25 deg. on the 6th. The cold on grass was within 1 deg. of zero on the 7th, within 4 deg. on the 6th, and within 5·8 deg. on the 8th. The greatest cold on the 22nd was never below 47·3 deg. and at 10 P.M. was 50·8 deg. The weather was very cloudy from the 8th to the 20th, and foggy on the 6th, 7th, 8th, 13th, 14th, and 18th. On the 2nd many meteors, on the 3rd both snow crystals and crystals of hail, which were most remarkable. On the 7th and 8th the rime on trees was 1½ in. thick. A gale from S. on the 20th, and others on the 21st, 22nd, and 23rd; a W.S.W. gale on the 28th, and a rise of ¾ in. in the barometer from 10 A.M. of the 28th to 10 A.M. of the 29th. Great wind changes on the 7th, 8th, 13th, 14th, 17th, 24th and 29th. Nineteen frosty nights.

#### FEBRUARY.

A fall of ½ in. in the barometer from 10 A.M. of the 11th to the same hour on the 12th, and a rise of ¾ in. from the morning of the 13th to that of the 14th. On the 2nd and 3rd 0·36in. of rain fell, on the 27th and 28th 0·2in., on the 29th 0·8in., and on the remaining 24 days only a tenth of an inch. The 9th and 10th severe, the greatest cold being 17·2 deg., and on the grass 11·7 deg. Twenty-one nights were frosty. The first three days were warm, and also from the 12th to the 16th, and the only considerable amounts of ozone were in those two periods. The 3rd, 4th, 5th, 8th, 9th, 17th, and 24th were almost cloudless; the 11th, 12th, 15th, 21st, and 22nd, and from the 25th to the end overcast. Great wind changes occurred on the 10th. Two gales occurred on the 1st, and two more on the 2nd: on the 4th snow, snow storms also on the 5th, 6th, and 7th; on the 10th snow crystals; 12th, a gale which lasted till the evening of the 13th, reaching a pressure of 24½ lbs. at 1 50 P.M. of the 13th; on 16th hail and snow storms, and on the 30th there was a flood on the Trent. Foggy on the 8th, 9th, 10th, 11th, and 29th.



## MARCH.

The barometer very low on the 6th, 7th, and 8th. Two inches of rain fell on the first 15 days, and only 0.3in. from the 16th to the end. There were 18 frosty nights. Much ozone till the 15th, and then very little; the sky exhibited an unbroken cloud till the evening of the 6th. Great wind changes on the 9th, 16th, 23rd, and 25th. Foggy on the 5th, and in the evening a gale; on the 6th aurora borealis, and zodiacal light very brilliant; Scilla Sibirica in flower; on the 7th aurora borealis; snow on the 8th, 9th, and 10th; on the 8th the valleys flooded; gales on the 14th and 15th; on the 28th lightning in S.; on the 29th loud thunder; on the 30th three inches of snow; and on the 31st a gale with thunder. Narcissus minor and Viola odorata in full flower.

## APRIL.

Barometer tolerably steady. No rain after the 16th; sharp frost on the 12th, 13th, 23rd, and 25th; eight frosty nights. Warm on the 4th, 9th to the 15th, and from the 18th to the end, reaching 72.3 deg. in the shade on the 20th. Much ozone on the 1st, 2nd, 6th, 8th, and 14th; densely overcast from the 3rd to the 10th, and almost cloudless on the 13th, 14th, and 19th to the 23rd. On the 1st a gale; 5th, heavy snow and great fall in temperature, being 22½ deg. colder than the previous morning; on the 16th the swallow and lesser whitethroat arrived; 18th and 20th lunar halos; 21st, chestnut in leaf; 26th, pears and plums in blossom. Great wind changes on the 10th, 23rd, 25th, 28th, and 30th; gales on the 18th, 19th, 20th, and 21st.

## MAY.

Barometer steady. No rain after the 7th, except on the 20th and 30th. Sharp frosts occurred on the 1st, 24th, and 27th, and a slight frost on the 30th. The *minimum* temperature on the 2nd was 18.1 deg. higher than on the 1st; on the 27th the temperature fell to 24.9 deg. on the grass. From the 14th to the 20th the weather was remarkably hot, exceeding 80 deg. in shade on six days, and being as high as 89.3 deg. on the 19th, and 87.7 on the 18th, both days hotter than ever before known here, in May. The greatest heat in sunshine was 110 deg., and the mean temperature of the 24 hours on the 18th was 72.9 deg., and the thermometer was never below 56.2 deg. on the 19th. The sky was almost free from cloud on the 13th, 14th, 16th, 17th, and 18th. A gale of 11lbs. pressure occurred on the 2nd, and others on the 8th, 11th, 27th, and 29th. On the 1st the landrail arrived; on the

3rd and 4th, thunder; on 6th, apples in bloom; 6th and 7th, solar halos; 15th, many cockchafers, lilac and hawthorn in bloom; 17th, flycatcher arrived; 19th, much thunder; 20th, thunderstorm, with hail; 27th, a frost, which cut the potatoes and beans; 29th, the earthquake pendulum moved, at 11 50 P.M., and a shock was felt at Burton-on-Trent; 30th, 3 A.M., a hail-storm; at noon the earthquake pendulum was still oscillating.

## JUNE.

Barometer steady, below 30in., except on the 19th and 20th. Although rain fell on 17 days, there were only six with any considerable amount; a quarter of an inch fell on the 23rd and 28th. Severe frosts occurred on the 1st and 2nd, the *minimum* temperature on the 1st falling to 30.5 deg., and on the grass to 23.3 deg.; the temperature never reached 80 deg. during the month. Considerable wind changes occurred on the 3rd and 9th; on the 1st there was ice at 7 A.M., and the damage to tender plants was great; 9th, thunderstorm; 10th, strawberries ripe; 11th, vast number of ghost moths, thunder; 12th, curious solar phenomenon; 18th, gale; 23rd, thunder.

## JULY.

Barometer tolerably steady at 29.8in. Rain fell on 2nd and 3rd, after which none till the 22nd, and then only four days' rain to the end of the month; the whole month only yielded half an inch of rain. No frost occurred in July. The temperature was high from the 14th to the 21st, being 84.3 deg. on the 17th, 85.2 deg. on the 19th, and 84 deg. on the 20th; it was again hot from the 27th to the 30th reaching 80.6 deg. on the 30th. The mean temperature was above 70 deg. on the 19th and 20th. The sky very free from cloud on the 14th, 15th, 18th, 20th, 24th, and 29th. Great wind changes occurred on the 6th, 7th, 14th, 17th, 18th, 25th, and 27th; 28th, many thunderclouds.

## AUGUST.

Barometer steady, with a rapid rise on the morning of the 11th, reaching above 30.5 in., reduced to sea level, on the morning of the 15th, after which falling to 29.7in. by the morning of the 19th. No rain fell except on the 7th, 8th, 9th, 10th, 21st, 23rd, 28th, and 29th; 0.2in. fell on the 9th, above half an inch on the 21st, and above a quarter of an inch on the 28th, the amount on other days was scarcely measurable. Much ozone on the 1st, 15th, and 17th. Gales on the 2nd, 8th, 10th, 23rd, 24th, 30th, and 31st. Frosts occurred on the 22nd, 26th, and 27th, and in the valley on the 12th, 18th,

and 25th. There were 3 deg. of frost on the 27th. The weather was hot on the 3rd to the 8th, on the 12th to the 16th, and on the 29th and 30th, reaching in the shade 84·5 deg. on the 5th, 80·7 deg. on the 13th, 83·6 deg. on the 14th, 80·2 deg. on the 16th, and 81·5 deg. on the 30th. Sky almost free from cloud on the 11th, 12th, 13th, 14th, 16th, 18th, 22nd, 24th, 25th, 26th, 27th, and 30th. On the 9th many meteors and lightning; 21st, thunderstorm, waterspout at Brighton, and earthquake at Lewes; 23rd, thunderstorm 26th and 27th, potatoes in valley cut by frost. Great wind changes on the 3rd, 12th, 14th, 16th, 18th, 20th, 24th, and 25th.

## SEPTEMBER.

The barometer was below 30 inches until the 25th and then above; it fell from the 12th to the 16th, from 29·80lin. to 29·091 in. Rain fell on 14 days, but the whole amount was only an inch, of which nine-tenths of an inch fell on six days and only a tenth on the eight remaining days. Frost occurred in the valley on the 13th and 15th. The temperature never reached 74 deg.; ozone was in large amount except on the 3rd, 4th, 21st, and 25th, to the end. There was but little cloud on the 1st, 12th, 18th, and from 25th to 29th. On 2nd, thunder and lightning, and a remarkable solar beam; 3rd, a thunderstorm. No great wind changes. Gales on 1st, 5th, 8th, 9th, and 14th; that on the 9th blew off one-half of the apples; on the 11th hail and lightning; 21st, hail; fog on 25th, 26th, 27th, and 28th.

## OCTOBER.

The barometer fell from 30·0in. on the 15th to 29·0in on the 20th, rising in the

evening to 29·5in., and falling to 28·8in. on the evening of the 22nd, rising to 29·4 in. on the evening of the 24th. No rain fell till the 16th; the amount fallen on the 22nd, 23rd, and 27th together, was 1·1in., and half an inch more in the remaining nine days. Frosts occurred on the 15th, 21st, and 31st; the temperature reached 67·7 deg. on the 19th; the sky was nearly cloudless on the 6th, and almost overcast from the 21st to the 30th. Great wind changes on the 21st, 24th, and 28th. Gales on the 4th, 5th, and 17th.

## NOVEMBER.

Barometer very high on the 6th,—viz. 30·7in.,—and very low on three dates,—viz. 28·6in. on the 13th, 28·5in. on the 14th, and 28·7in. on the 15th; also 28·7in. on the 17th, 28·8in. on the 18th, 28·5in. again on the 25th, and 28·7 on the 26th. Scarcely any rain till the 13th; frosts occurred on 15 nights. Scarcely any ozone till the 18th. Great wind changes on the 5th, 7th, 8th, 15th, 16th. On the 3rd, severe frost, dahlias killed; on 20th, a meteor of very large size; a gale of 12lbs. pressure on the 25th, another of 10lbs. on the 28th. and others on the 16th, 28th, and 31st.

## DECEMBER.

Barometer very high on the 23rd, 24th, and 25th, viz. 30·6in. No rain on the 1st, 2nd, 5th, 6th, 10th, 11th, 12th, and from the 21st to the end of the month. Frosts occurred on 19 nights, the greatest cold on the 18th being 15 deg., and on the grass 12·6 deg.; on the 26th and 27th were also severe frosts. The sky was almost overcast from the 14th to the end of the year. Great wind changes on the 13th and 21st; 9th, foggy; 11th, gale; 12th, fog; 16th, snow; 17th, incessant snow (4in. deep).

TABLE No. 1.—DIRECTION OF WIND IN 1864.

Direction.	First Quarter.	Second Quarter.	Third Quarter.	Fourth Quarter.	Whole Year.
	Days.	Days.	Days.	Days.	Days.
S.	7·5	8·	11·5	13·	40·0
S.S.W.	7·5	4·5	8·	8·	28·0
S.W.	13·5	8·5	14·5	12·5	49·0
W.S.W.	4·5	7·	4·	3·5	19·0
W.	7·5	10·5	16·	3·	37·0
W.N.W.	2·	5·	5·	2·5	14·5
N.W.	2·5	7·5	6·5	1·	17·5
N.N.W.	2·	2·	3·	2·	9·0
N.	10·5	5·5	5·5	8·5	30·0
N.N.E.	4·5	2·5	4·	4·	15·0
N.E.	8·	5·	5·5	9·	27·5
E.N.E.	7·	5·	0·	6·	18·0
E.	5·5	7·	1·	8·5	22·0
E.S.E.	3·5	1·	1·5	4·	10·0
S.E.	5·	7·5	4·5	2·	19·0
S.S.E.	0·	4·5	1·5	4·5	10·5

TABLE No. 2.—CLOUD IN 1864.

—	Mean amount (0—10).	Number of times cloudless at 10 a.m.	Number of times of times cloudless at 10 p.m.	Number of times overcast at 10 a.m.	Number of times overcast at 10 p.m.	Mean amount in 1863.
January .	6·9	6	5	18	21	7·5
February .	6·8	5	8	14	17	6·7
March .	6·9	0	8	17	14	5·5
April .	5·7	1	9	12	13	6·4
May .	5·9	3	8	5	12	6·0
June .	6·4	0	1	6	9	6·9
July .	5·7	2	7	12	10	3·7
August .	5·3	2	8	5	5	6·4
September .	5·2	3	8	3	8	6·5
October .	7·4	1	3	12	16	7·3
November .	6·7	1	6	15	11	6·2
December .	8·6	0	4	23	20	6·9
Total .	6·5	24	75	142	156	6·3

TABLE No. 3.—RAIN.

—	1864.	Mean of past 20 years.	Excess or defect of 1864 of mean of past 20 years.	Smallest amount in past 20 years.	Largest amount in past 20 years.	Range in amount in last 20 years.
	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.
January .	0·742	1·9	+ 1·2	0·2	3·7	3·5
February .	1·690	1·4	+ 0·2	0·3	3·6	3·3
March .	2·556	1·4	— 1·2	0·3	3·9	3·6
April .	2·186	1·8	+ 0·4	0·5	4·3	3·8
May .	1·398	2·0	— 0·6	0·5	5·0	4·5
June .	1·324	2·6	— 1·3	1·0	5·0	4·0
July .	0·524	2·4	— 1·9	0·5	4·6	4·1
August .	1·104	3·0	— 1·9	0·5	6·3	5·8
September .	1·000	2·6	— 1·6	0·7	5·6	4·9
October .	1·684	2·7	— 1·1	0·9	4·7	3·8
November .	2·140	2·0	+ 0·1	0·5	7·2	6·7
December .	1·195	1·9	— 0·7	0·5	3·9	3·4
Total .	17·543	25·6	— 8·1	0·2	7·2	7·0



TABLE No. 4.—RAIN OF THE FIVE YEARS, 1859—1863.

—	1863.	1862.	1861.	1860.	1859.	Average amount 1859 - 1863.
	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.
January	2.0	1.6	0.8	2.3	0.7	1.5
February	0.4	0.8	2.7	2.1	1.4	1.5
March	0.3	3.4	3.4	2.3	1.9	2.3
April	1.4	1.6	1.7	0.5	2.4	1.5
May	0.5	3.4	1.2	3.3	0.5	1.8
June	3.4	1.5	1.7	3.3	3.3	2.6
July	1.2	1.4	3.5	1.5	0.7	1.7
August	2.7	2.4	0.5	6.3	3.0	3.0
September	1.8	3.8	1.9	3.3	2.9	2.7
October	2.3	2.4	1.4	2.6	2.0	2.1
November	1.4	0.5	2.2	2.4	1.7	1.6
December	0.6	1.1	1.5	2.6	1.9	1.5
Total	18.0	23.9	22.5	32.5	22.4	23.8

TABLE No. 5.—GREATEST HEAT IN THE SHADE DURING THE PAST SIX YEARS.

—	1864.	1863.	1862.	1861.	1860.	1859.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January	53.6	53.7	56.1	55.0	56.1	54.5
February	55.4	57.5	57.6	54.0	51.5	57.2
March	58.1	64.3	60.1	59.9	57.8	64.0
April	73.2	67.1	74.2	63.8	67.5	78.0
May	89.3	75.0	77.7	79.8	79.8	78.5
June	79.5	76.1	76.4	82.8	73.5	80.4
July	85.2	87.2	76.0	79.2	77.0	89.5
August	84.5	80.0	76.5	80.1	73.0	86.0
September	73.4	71.0	71.8	76.4	71.2	74.0
October	67.7	64.5	71.0	73.0	66.0	77.5
November	55.1	60.5	56.3	57.3	52.5	55.5
December	53.0	53.0	55.7	54.5	52.0	53.8
Maximum	89.3	87.2	77.7	82.8	79.5	89.5

TABLE No. 6.—GREATEST COLD DURING THE PAST SIX YEARS.

—	1864.	1863.	1862.	1861.	1860.	1859.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January . .	7·7	26·5	19·0	16·5	22·0	27·0
February . .	17·2	26·0	20·4	23·5	19·8	27·4
March . . .	23·3	24·0	18·5	26·5	22·0	25·2
April . . .	32·5	29·6	20·4	26·5	21·0	21·8
May . . .	32·3	27·3	35·5	28·7	30·0	30·8
June . . .	30·5	42·0	39·7	42·5	39·5	41·9
July . . .	44·0	36·4	41·0	44·0	41·4	45·6
August . . .	33·0	39·3	36·9	41·8	33·5	44·4
September . .	37·0	37·1	37·0	36·2	32·6	37·5
October . .	34·0	31·5	24·9	29·8	26·5	19·4
November . .	27·0	27·3	20·6	17·0	28·0	18·0
December . .	15·0	25·5	31·0	22·0	—8·0	7·0
Minimum .	7·7	24·0	18·5	16·5	—8·0	7·0

— Signifies “below zero.”

TABLE No. 7.—MONTHLY RANGE OF TEMPERATURE DURING THE PAST SIX YEARS.

—	1864.	1863.	1862.	1861.	1860.	1859.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January .	45·9	27·2	36·1	39·5	34·1	27·5
February .	38·2	31·5	37·2	30·5	31·7	29·8
March . .	34·8	40·3	41·6	33·4	35·2	38·8
April . . .	40·7	37·5	53·8	37·3	46·5	56·2
May . . .	57·0	47·7	42·2	51·1	49·8	47·7
June . . .	49·0	34·1	36·7	40·3	34·0	38·5
July . . .	41·2	50·8	35·0	35·2	35·6	43·9
August . .	51·5	40·7	39·6	38·3	29·5	41·6
September .	36·4	33·9	34·8	40·2	39·2	36·5
October . .	33·7	33·0	46·1	43·2	39·5	58·1
November .	28·1	33·2	35·7	40·3	24·5	37·5
December .	38·0	27·5	24·7	32·5	60·0	46·8
Maximum .	57·0	50·8	53·8	51·1	60·0	58·1
Minimum .	28·1	27·2	24·7	30·5	24·5	27·5

TABLE NO. 8.—MEAN DIURNAL RANGE OF TEMPERATURE DURING THE PAST SIX YEARS.

—	1864.	1863.	1862.	1861.	1860.	1859.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January .	10·7	10·0	13·0	9·3	11·1	11·9
February .	11·1	13·5	11·3	11·9	13·8	13·6
March .	14·4	17·5	12·4	15·6	15·0	15·6
April .	20·5	18·7	16·6	18·2	19·4	18·2
May .	22·8	21·4	20·5	22·4	23·2	22·7
June .	22·1	20·5	18·5	19·6	19·1	20·7
July .	22·4	25·9	21·3	19·5	20·7	23·7
August .	19·7	19·9	20·2	21·2	15·3	22·7
September .	20·8	17·8	17·5	18·6	19·0	19·6
October .	13·7	15·5	16·6	15·4	14·2	15·2
November .	12·7	11·9	12·2	16·6	8·9	13·6
December .	9·3	11·3	9·6	11·5	10·0	17·9
Maximum .	22·8	25·9	21·3	22·4	23·2	23·7
Minimum .	9·3	10·0	9·6	9·3	8·9	11·9

TABLE NO. 9.—ADOPTED MEAN TEMPERATURE OF PAST SIX YEARS.

—	1864.	1863.	1862.	1861.	1860.	1859.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January .	35·9	40·6	38·0	34·7	37·4	39·7
February .	36·4	42·3	41·1	40·8	35·3	42·1
March .	40·3	43·8	41·3	43·0	40·5	45·3
April .	48·0	40·3	48·0	44·2	43·6	45·0
May .	54·9	51·9	54·7	51·1	54·2	52·3
June .	57·5	58·3	55·8	58·9	55·6	58·8
July .	60·1	59·2	58·0	59·8	58·6	65·2
August .	59·0	60·3	59·3	61·8	56·7	61·7
September .	55·4	52·5	55·1	55·9	52·5	55·2
October .	50·1	48·9	50·8	53·6	49·3	48·4
November .	41·3	44·6	38·2	38·0	40·4	40·4
December .	37·9	42·6	44·0	39·5	34·3	34·0
Mean .	48·1	49·4	48·7	48·4	46·5	49·0



TABLE NO. 10.—ADOPTED TEMPERATURE FROM 1810 TO 1864.

	Five years' mean, 1860 to 1864.	Ten years' mean, 1850 to 1859.	Ten years' mean, 1840 to 1849.	Fifty years' mean, 1810 to 1859.	Fifty-five years' mean, 1810 to 1864.	Excess or de- fect of 1864, of 55 years' mean.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January . .	37·3	37·7	36·9	36·6	36·7	— 0·8
February . .	39·2	38·1	37·5	38·6	38·6	— 2·2
March . .	41·8	40·9	41·5	42·1	42·1	— 1·8
April . .	44·8	45·9	47·6	47·3	47·1	+ 0·9
May . .	53·4	50·8	54·3	53·1	53·1	+ 1·8
June . .	57·2	58·4	59·0	58·7	58·6	— 1·1
July . .	59·1	61·1	60·9	61·3	61·1	— 1·0
August . .	59·4	60·6	59·7	60·3	60·2	— 1·2
September . .	54·7	59·6	55·8	56·6	56·4	— 1·0
October . .	50·5	48·8	47·4	49·4	49·5	+ 0·6
November . .	40·5	41·0	42·8	42·4	42·2	— 0·9
December . .	39·7	39·1	39·3	39·2	39·2	— 1·3
Mean . .	48·2	48·0	48·6	48·8	48·7	— 0·6

TABLE NO. 11.—TEMPERATURE.

	Lowest monthly mean since 1810.	Highest monthly mean since 1810.	Range in monthly mean in past 55 years.	Greatest heat since 1843.	Lowest maximum heat since 1843.	Range in maximum heat since 1843.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January . .	26·7	45·1	18·4	56·1	46·5	9·6
February . .	28·4	43·5	15·1	61·0	39·7	21·3
March . .	35·6	46·0	11·0	71·5	52·9	18·6
April . .	42·3	51·1	8·3	79·0	62·5	16·5
May . .	48·5	60·0	11·5	89·3	70·8	18·5
June . .	53·8	67·7	13·9	92·2	73·8	18·4
July . .	55·5	68·4	12·9	91·0	76·0	15·0
August . .	54·6	65·3	10·7	92·5	73·0	19·5
September . .	51·4	63·2	11·8	85·0	70·2	14·8
October . .	43·2	55·2	12·0	77·5	62·5	15·0
November . .	36·4	48·8	12·4	61·2	52·5	8·7
December . .	32·5	45·7	13·2	60·2	47·5	12·7
Extreme . .	26·7	68·4	41·7	92·5	39·7	52·8

TABLE NO. 12.—TEMPERATURE.

	Mean monthly range of five years, 1859 to 1863.	Excess or defect of 1864 of the mean monthly range.	Mean daily range of five years, 1859 or 1863.	Excess or defect of mean daily range in 1864.	Mean amount of terrestrial radiation in 1864.	Mean amount of solar radiation in 1864.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January . . . . .	32·9	+ 13·0	11·1	— 0·4	4·2	7·1
February . . . . .	32·1	+ 6·1	12·8	— 1·7	2·6	11·1
March . . . . .	38·0	— 3·2	15·2	— 0·8	2·5	8·6
April . . . . .	46·3	— 5·6	18·2	+ 2·3	6·4	12·2
May . . . . .	47·7	+ 9·3	22·0	+ 0·8	2·5	14·7
June . . . . .	36·7	+ 12·3	19·7	+ 2·4	3·3	12·3
July . . . . .	40·9	+ 0·3	22·2	+ 0·2	2·9	13·2
August . . . . .	37·9	+ 13·6	19·9	— 0·2	7·2	15·3
September . . . . .	36·9	— 0·5	18·5	+ 2·3	2·2	14·7
October . . . . .	44·0	— 10·3	15·4	— 1·7	2·6	10·1
November . . . . .	34·2	— 6·1	12·6	+ 0·1	3·0	10·5
December . . . . .	38·3	— 0·3	10·9	— 1·3	1·4	4·8

TABLE NO. 13.—TEMPERATURE.

	Greatest cold since 1843.	Highest minimum cold since 1843.	Range in minimum cold since 1843.	Mean of dew point in 1864.	Mean of evaporation in 1864.	Minimum on grass in 1864.
	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
January . . . . .	— 4·0	29·5	33·5	32·1	34·2	1·0
February . . . . .	+ 6·1	27·4	21·3	32·7	34·6	11·7
March . . . . .	13·0	31·0	18·0	33·1	36·6	20·0
April . . . . .	20·4	36·0	15·6	40·3	44·2	25·3
May . . . . .	26·8	40·0	13·2	49·7	51·8	24·9
June . . . . .	30·5	48·0	17·5	48·7	52·5	23·3
July . . . . .	36·3	50·4	14·1	51·5	55·4	38·6
August . . . . .	33·0	50·0	17·0	47·9	53·0	29·2
September . . . . .	32·0	46·5	14·5	49·1	51·8	33·3
October . . . . .	19·4	34·0	14·6	44·4	47·0	27·6
November . . . . .	13·2	30·0	16·8	35·4	38·0	24·4
December . . . . .	— 8·0	31·0	39·0	34·7	36·2	12·6
	— 8·0	50·4	58·4	41·6	44·6	1·0

The sign — in January and December signifies below Zero of Fahrenheit's thermometer scale.

TABLE NO. 14.—TEMPERATURE.

	Mean maximum heat.	Mean minimum cold.	Mean minimum cold on grass.	Number of nights' frost.	Amount of rain at 25 feet above ground.
	Deg.	Deg.	Deg.		Inches.
January . . . . .	41·2	30·5	26·3	19	0·670
February . . . . .	42·9	30·9	28·3	21	1·496
March . . . . .	47·4	33·0	30·5	18	2·288
April . . . . .	59·5	39·0	32·6	8	2·084
May . . . . .	67·4	44·6	42·1	4	1·286
June . . . . .	69·8	47·7	44·4	2	1·256
July . . . . .	73·0	50·6	47·7	0	0·516
August . . . . .	70·4	50·7	43·5	3	1·059
September . . . . .	66·5	45·7	43·5	0	0·950
October . . . . .	57·4	43·7	41·1	3	1·592
November . . . . .	48·0	35·3	32·4	15	2·096
December . . . . .	41·9	32·6	31·2	19	1·163
Mean . . . . .	57·0	40·4	37·0	112	16·456

## HYGROMETER.

TABLE NO. 15.—HYGROMETRICAL DEDUCTIONS FOR 1864.

	Mean degree of humidity (0—100).	Mean whole amount of water in a vertical column of the atmosphere.	Mean weight of vapour in a cubic foot of air.	Mean additional weight of vapour required to saturate a cubic foot of air.	Weight of a cubic foot of air.	Mean temperature of the wet bulb thermometer.
		Inches.	Grains.	Grain.	Grains.	Deg.
January. . . . .	85	2·5	2·1	0·5	561·1	34·6
February . . . . .	85	2·5	2·1	0·5	555·7	35·0
March . . . . .	72	2·6	2·2	0·9	545·7	37·7
April . . . . .	74	3·5	2·9	1·0	546·4	44·5
May . . . . .	82	4·9	4·0	1·0	535·4	52·5
June . . . . .	70	4·8	3·9	1·6	531·1	53·2
July . . . . .	70	5·3	4·3	1·6	530·3	55·6
August . . . . .	66	4·6	3·8	1·9	532·7	53·2
September . . . . .	77	4·8	3·9	1·1	532·3	52·5
October . . . . .	80	4·1	3·3	0·8	538·7	47·6
November . . . . .	76	2·8	2·4	0·7	545·5	39·3
December . . . . .	86	2·8	2·3	0·4	555·6	37·0
Mean . . . . .	77	3·7	3·8	1·0	542·5	45·2



TABLE NO. 16.—BAROMETER IN 1864.

	Mean.	Maximum.	Minimum.	Range.	Mean pressure of dry air (gases).	Mean pressure of water or elastic force of vapour.
	Inches.	Inches.	Inches.	Inches.	Inches.	Inch.
January .	30-015	30-523	29-476	1-047	29-832	0-183
February .	29-771	30-296	29-132	1-164	29-587	0-184
March .	29-500	30-026	28-676	1-350	29-311	0-189
April .	29-914	30-185	29-408	0-777	29-663	0-251
May .	29-817	30-132	29-545	0-583	29-460	0-357
June .	29-734	30-064	29-234	0-830	29-389	0-345
July .	29-823	30-033	29-337	0-696	29-442	0-381
August .	29-878	30-336	29-535	0-801	29-545	0-333
September .	29-795	30-212	29-091	1-221	29-444	0-351
October .	29-697	30-235	28-811	1-424	29-404	0-293
November .	29-570	30-530	28-613	1-917	29-364	0-206
December .	29-844	30-447	29-345	1-102	29-642	0-202
Mean .	29-780	30-530	28-613	1-917	29-507	0-273

TABLE NO. 17.

	Amount of ozone.	Number of rainy days in 1863.	Number of rainy days in 1864.	Average number of rainy days in the last 20 years.	Number of times snow or hail.	Number of times thunder, lightning, or thunderstorms.
January .	2-6	20	11	17	3	0
February .	3-1	11	15	14	17	0
March .	3-7	10	19	14	7	3
April .	3-8	10	10	16	2	0
May .	3-1	10	10	13	1	4
June .	2-4	20	17	13	0	3
July .	3-3	9	8	15	0	0
August .	2-3	18	7	17	0	2
September .	4-1	18	14	12	2	3
October .	2-4	20	12	18	0	0
November .	2-4	12	18	15	1	0
December .	1-7	11	13	17	3	0
Total .	2-9	169	154	181	36	15

+ In all the Tables signifies that 1864 was in excess of the mean, and — in defect.

## REMARKS ON THE YEAR.

The temperature for the year 1864 was 0-6 deg. lower than the average of the past 55 years, being colder in every month except April, May, and October; April was 2-2 deg. warmer than the average, and May 1-8 deg. warmer.

The amount of rain was 8-1 in. below the average of the last 20 years, being less in

all months except January, February, April, and November. There was also a much less number of wet days.

The tables explain themselves.

E. J. LOWE.

Observatory, Highfield-house, Jan. 2.







## PROMOTIONS AND APPOINTMENTS.

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*Jan. 12.* Admiral of the Red Sir Lucius Curtis, Bart., K.C.B., to be Admiral of the Fleet.

John Foster Gresham, Esq., to be the Chief Justice of the Island of Grenada.

The Right Hon. Francis Alexander, Earl of Kintore, to be Lord-Lieutenant of the county of Aberdeen.

The Rev. William C. Magee, D.D., Rector of Enniskillen, to be Dean of Cork.

*Jan. 26.* The Rev. Walter Waddington Shirley, M.A., to be Regius Professor in Ecclesiastical History in the University of Oxford, in the room of the Very Rev. Arthur Penrhyn Stanley, D.D., resigned.

*Feb. 4.* The Rev. Edward Harold Brown, to be Bishop of Ely, in the room of Dr. Thomas Turton, deceased.

James Hay Erskine Wemyss, Esq., to be Lieutenant and Sheriff Principal of the shire of Fife, in the room of the Earl of Elgin, deceased.

The Earl of Gosford, to be Lord Lieutenant of the county of Armagh, in the room of the Earl of Charlemont.

*Feb. 9.* Frederick Seymour, Esq. (Lt.-Governor of British Honduras), to be Governor and Commander-in-Chief in and over the colony of British Columbia and its dependencies.

Sir Charles Beaumont Phipps, K.C.B., to be Secretary, Chamberlain, and Receiver-General and Keeper of the Signet of H.R.H. the Prince of Wales, as Prince and Steward of Scotland.

Letters patent under the Great Seal, appointing his Grace the Archbishop of Canterbury; his Grace the Archbishop of York; his Grace the Archbishop of Armagh; his Grace the Archbishop of Dublin; the Right Hon. Philip Henry, Earl Stanhope; the Right Hon. Dudley, Earl of Harrowby, K.G.; the Right Rev. the Lord Bishop of London; the Right Rev. the Lord Bishop of Winchester; the Right Rev. the Lord Bishop of St. David's;

the Right Rev. the Lord Bishop of Oxford; the Right Hon. George William, Baron Lyttelton; the Right Hon. Robert Monsey, Baron Cranworth; the Right Hon. Robert, Baron Ebury; the Right Hon. Edward Pleydell Bouverie; the Right Hon. Stephen Lushington, D.C.L., Judge of H.M.'s High Court of Admiralty; the Right Hon. Spencer Horatio Walpole; the Right Hon. Joseph Napier; the Right Hon. Sir John Taylor Coleridge, Knt.; Sir William Heathcote, Bart.; Charles Buxton, Esq.; the Very Rev. Henry Hart Milman, D.D., Dean of H.M.'s Cathedral Church of St. Paul's in London; the Very Rev. Harvey Goodwin, D.D., Dean of H.M.'s Cathedral Church of Ely; the Ven. John Sandford, B.D., Archdeacon of Coventry; the Rev. William Jacobson, D.D., Regius Professor of Divinity in the University of Oxford; the Rev. James Amiraux Jeremie, D.D., Regius Professor of Divinity in the University of Cambridge; the Rev. Hen. Venn, B.D.; and the Rev. William Gilson Humphrey, B.D.; to be H.M.'s Commissioners to consider and revise the various forms of Subscription and Declaration required to be made by the clergy of the United Church of England and Ireland on ordination, or on appointment, admission, or induction to any ecclesiastical dignity, benefice, curacy, lectureship, or office, and to report their opinion how far they may be altered and simplified consistently with due security for the declared agreement of the clergy with the doctrines of the Church and the conformity to its ritual.

*March 5.* Sir James Horn Burnett to be H.M.'s Lieutenant of the county of Kincardine.

*April 1.* Major-Gen. Charles Rochfort Scott to be Lieutenant-Governor of the Island of Guernsey.

*April 8.* The Right Hon. George William Frederick, Earl of Clarendon, K.G.,

G.C.B., to be Chancellor of the Duchy of Lancaster.

The Right Hon. Edward Cardwell to be one of H.M.'s Principal Secretaries of State (for the Colonial Department).

Chichester Samuel Fortescue, Esq., M.P., to be a member of H.M.'s Most Hon. Privy Council.

*April 22.* Thomas George Baring, Esq., M.P., to be Under Secretary of State for the Home Department, in the room of the Right Hon. Henry Austin Bruce.

The Right Hon. Henry Austin Bruce to be Vice-President of the Committee of Council on Education.

The Most Noble Edward Adolphus, Duke of Somerset, K.G.; Vice-Admiral the Hon. Sir Frederick William Grey, K.C.B.; Rear-Admiral Charles Eden, C.B.; Rear-Admiral Charles Frederick; Rear-Admiral the Hon. James Robert Drummond, C.B.; and Hugh Culling Eardley Childers, Esq., to be H.M.'s Commissioners for executing the office of Lord High Admiral of the said United Kingdom of Great Britain and Ireland, and the dominions, islands, and territories thereunto belonging.

Letters patent under the Great Seal, granting the dignity of a Baroness, unto Elizabeth, Countess De La Warr, the name, style, and title of Baroness Buckhurst, of Buckhurst, in the county of Sussex, during her life, with remainder after her decease, of the dignity of Baron Buckhurst, in the county of Sussex, unto the Hon. Reginald Windsor Sackville West, now second surviving son of the said Elizabeth, Countess De La Warr, and the heirs male of his body lawfully begotten, with other remainders over.

*May 7.* The Hon. Edward Morris Erskine, Secretary to H.M.'s Embassy at Constantinople, to be H.M.'s Envoy Extraordinary and Minister Plenipotentiary to the King of the Hellenes.

The Right Hon. Robert Montgomery, Lord Belhaven, K.T., to be H.M.'s High Commissioner to the General Assembly of the Church of Scotland.

*May 24.* The Very Rev. Francis Jeune, D.C.L., Dean of the Cathedral Church of Lincoln, to be Bishop of Peterborough.

George Granville William, Duke of Sutherland, and George William Frederick, Marquis of Ailesbury, to be Knights of the Most Noble Order of the Garter.

*June 14.* The honour of Knighthood conferred upon William Shee, Esq., one of the Judges of H.M.'s Court of Queen's Bench.

Sir Robert Anstruther, Bart., to be Lieut. and Sheriff-Principal of the shire of Fife, in the room of James Hay Erskine Wemyss, Esq., deceased.

*June 22.* The Right Hon. Richard

Edmund St. Lawrence, Earl of Cork and Orrery, K.P., to be H.M.'s Lieutenant of the county of Somerset.

The Hon. Henry Thomas Manners Sutton to be Governor and Commander-in-Chief in and over the island of Trinidad and its dependencies.

*June 27.* The Rev. Charles Henry Bromby, M.A., to be Bishop of the colony of Tasmania, in the room of the Right Rev. Francis Russell Nixon, D.D., resigned.

*July 1.* Major-General Sir Henry Knight Storks, K.C.B., and G.C.M.G., late H.M.'s Lord High Commissioner of the Ionian Islands, to be an Ordinary Member of the Civil Division of the First Class, or Knights Grand Cross of the Most Honourable Order of the Bath.

*July 4.* Letters patent under the Great Seal, appointing the Most Noble Charles Henry, Duke of Richmond; the Right Hon. Edward Henry Smith Stanley (commonly called Lord Stanley); the Right Hon. Stephen Lushington, D.C.L., Judge of H.M.'s High Court of Admiralty; the Right Hon. Sir John Taylor Coleridge, Knight; the Right Hon. Thomas O'Hagan, H.M.'s Attorney-General for Ireland; James Moncrieff, Esq., H.M.'s Advocate for Scotland; Horatio Waddington, Esq.; John Bright, Esq.; William Ewart, Esq.; Gathorne Hardy, Esq.; George Ward Hunt, Esq.; and Charles Neate, Esq.; to be H.M.'s Commissioners to inquire into the provisions and operation of the laws now in force in the United Kingdom, under and by virtue of which the punishment of death may be inflicted upon persons convicted of certain crimes, and also into the manner in which capital sentences are carried into execution.

The Rev. James Amiraux Jeremie, D.D., to the Deanery of H.M.'s Cathedral Church of Lincoln, void by the promotion of Dr. Francis Jeune, to the Bishopric of Peterborough.

*July 12.* Lieut.-General Sir Robert Percy Douglas, Bart., to be Lieut.-Governor of the Cape of Good Hope.

*July 15.* Edward John Eyre, Esq., to be Captain-General and Governor-in-Chief in and over the island of Jamaica, and the territories depending thereon.

*July 22.* The Dignity of a Baronet of the United Kingdom of Great Britain and Ireland, granted to Sir Charles Lyell, of Kinnordy, in the county of Forfar, Knight.

*July 29.* Anthony Musgrave, Esq., to be Governor and Commander-in-Chief in and over the Island of Newfoundland and its dependencies.

George Berkeley, Esq., to be Lieut.-Governor of the Island of St. Vincent.

*Aug. 12.* The dignity of a Baronet of the United Kingdom of Great Britain and

Ireland granted to Thomas Burch Western, Esq., of Rivenhall, in the county of Essex, and the heirs male of his body lawfully begotten.

*Aug. 30.* The honour of Knighthood conferred upon David Ross, Esq., Lord Provost of Perth.

*Sept. 16.* The Right Hon. Sir Andrew Buchanan, K.C.B., H.M.'s Ambassador Extraordinary, and Plenipotentiary to the King of Prussia, to be H.M.'s Ambassador Extraordinary and Plenipotentiary to the Emperor of All the Russias.

The Right Hon. Lord Napier, K.T., H.M.'s Ambassador Extraordinary and Plenipotentiary to the Emperor of All the Russias, to be H.M.'s Ambassador Extraordinary and Plenipotentiary to the King of Prussia.

*Oct. 6.* John Maclean, Esq., C.B., to be Lieut.-Governor of the colony of Natal.

Rawson William Rawson, Esq., C.B., to be Governor and Commander-in-Chief of the Bahama Islands.

*Oct. 14.* Henry Marquis of Lansdowne to be a Knight of the Most Noble Order of the Garter.

*Nov. 11.* The Hon. Peter Scarlett, C.B., late H.M.'s Envoy Extraordinary and Minister Plenipotentiary to the King of the Hellenes, to be H.M.'s Envoy Extraordinary and Minister Plenipotentiary to the Emperor of Mexico.

*Nov. 15.* Major-General Sir Henry Knight Storks, G.C.B., G.C.M.G., to be Governor and Commander-in-Chief of the Island of Malta and its dependencies.

*Nov. 25.* The Right Hon. Edward, Lord Belper to be H.M.'s Lieutenant for the County of Nottingham, in the room of the Duke of Newcastle, deceased.

The Right Hon. Beilby Richard, Lord Wenlock, to be H.M.'s Lieutenant of the East Riding of the county of York.

*Nov. 30.* The honour of Knighthood conferred upon Thomas Henry, Esq., Chief Magistrate at Bow-street.

*Dec. 11.* Earl Spencer to be a Knight of the Most Noble Order of the Garter.

*Dec. 20.* The Right Hon. Henry, Baron Taunton; the Right Hon. Henry Edward Smith Stanley (commonly called Lord Stanley); the Right Hon. George William, Baron Lyttelton; Sir Stafford Henry Northcote, Bart., C.B.; the Very Rev. Walter Farquhar Hook, D.D.; the Rev. Frederick Temple, D.D.; the Rev. Anthony Wilson Thorold, M.A.; Thomas Dyke Acland, Esq.; Edward Baines, Esq.; William Edward Forster, Esq.; Peter Erle, Esq., one of H.M.'s Counsel; and John Storra, Esq., M.D.; to be H.M.'s Commissioners to inquire into the education given in schools not comprised within H.M.'s two former Commissions, bearing date respectively June 30, in the 22nd year, and 18th July in the 25th year of H.M.'s reign, and also to consider and report what measures, if any, are required for the improvement of such education, having especial regard to all endowments applicable, or which can rightly be made applicable thereto.

## THE QUEEN'S MINISTERS.

### THE CABINET.

*First Lord of the Treasury (Prime Minister),* Viscount Palmerston.

*Lord Pres. of the Council,* Earl Granville.

*Lord High Chancellor,* Lord Westbury.

*Lord Privy Seal,* Duke of Argyll.

*Chancellor of the Exchequer,* Right Hon. W. E. Gladstone.

*Secretaries of State:—*

*Home,* Right Hon. Sir George Grey, Bart.

*Foreign,* Earl Russell.

*Colonial,* Right Hon. E. Cardwell.

*War,* Earl de Grey and Ripon.

*India,* Right Hon. Sir C. Wood, Bart.

*First Lord of Admiralty,* Duke of Somerset.

*Postmast.-Gen.,* Lord Stanley of Alderley.

*Pres. of Board of Trade,* Right Hon. T. Milner Gibson.

*Pres. of Poor Law Board,* Right Hon. C. P. Villiers.

*Chancellor of the Duchy of Lancaster,* Earl of Clarendon.

### THE PRIVY COUNCIL.

*President,* Earl Granville.

*Clerk in Ordinary,* Arthur Helps.

*Chief Clerk,* E. S. Harrison.

*Vice-Pres. for Education,* Right Hon. H. A. Bruce.

### THE PRIVY SEAL.

*Lord Privy Seal,* Duke of Argyll.

*Patent Clerk,* Ralph Eden.

### THE TREASURY.

*Lords Commissioners,* Viscount Palmerston, Right Hon. W. E. Gladstone, Sir William Dunbar, Bart., Lieut.-Col. Luke White, and E. H. K. Hugessen.



*Secs.*, Hon. H. Brand and Right Hon. Frederick Peel.

*Assistant-Sec.*, G. A. Hamilton.

*Solicitor*, H. R. Reynolds.

#### THE EXCHEQUER.

*Chancellor*, Right Hon. W. E. Gladstone.  
*Comptroller*, Lord Monteaale.

*Assistant Ditto*, G. S. Frederick.

*Chief Clerk*, Francis F. Ottey.

*Senior Clerk (Bill Office)*, H. W. Chisholm.

#### SECRETARIES OF STATE.

*Home—Principal Sec.*, Right Hon. Sir George Grey, Bart. — *Under Secs.*, T. G. Baring, M.P., Horatio Waddington. — *Private Sec.*, Hon. G. Waldegrave Leslie.

*Foreign—Principal Sec.*, Earl Russell. — *Under Secs.*, A. H. Layard, Edmund Hammond. — *Private Sec.*, Hon. G. F. S. Elliot. — *Assist.-Sec.*, Jas. Murray.

*Colonial—Principal Sec.*, Duke of Newcastle. — *Under Secs.*, C. S. Fortescue, Sir Fred. L. Rogers, Bart. — *Private Sec.*, G. D. Engleheart.

*War—Principal Sec.*, Earl de Grey and Ripon. — *Under Secs.*, Marquis of Hartington, M.P. and Major-Gen. Sir Edward Lugard. — *Assist.-Under Sec.*, Captain D. Galton. — *Chief Clerk*, Henry R. Drewry. — *Private Secs.—to Principal Sec.*, B. M. Seton; *to Marquis of Hartington*, Robert Henry Hobart; *to Sir Edward Lugard*, W. R. Buck. — *Accountant-Gen.*, W. Brown.

*India—Principal Sec. and Pres. of Council*, Right Hon. Sir C. Wood, Bart. — *Priv. Sec.*, A. G. West.

*Under Secs.*, Lord Dufferin, Herman Merivale. — *Assist.-Sec.*, Sir James C. Melville.

*Sec. of State, Ireland*, Sir R. Peel, Bart.

#### THE ARMY.

*Horse Guards—Commander of the Forces*, Duke of Cambridge. — *Military Sec.*, Major-Gen. W. F. Foster. — *Priv. Sec.*, Col. Hon. J. Macdonald. — *Adj.-Gen.*, Major-Gen., Sir J. Y. Scarlett. — *Quartermaster-Gen.*, Major-Gen. Sir Richard Airey. — *Judge-Advocate Gen.*, T. E. Headlam. — *Chaplain-Gen.*, Rev. G. R. Gleig. — *Director-Gen. of Medical Dep.*, James Brown Gibson.

#### THE NAVY.

*Admiralty—Lords Commissioners*, Duke of Somerset, Vice-Adm. Hon. Sir Fred. W. Grey, Rear-Adm. Chas. Eden, Rear-Adm. Chas. Frederick, Capt. Hon. J. R. Drummond, H. E. Childers, M.P.  
*Secs.*, Lord Clarence Paget, W. G. Romaine. — *Hydrographer*, Capt. G. H. Richards.

— *Astronomer-Royal*, Prof. Airy. — *Chief Constructor*, E. J. Read.  
*Priv. Sec. to First Lord*, Capt. A. P. Ryder.  
*Civil Departments—Accountant-Gen.*, Jas. Beeby. — *Comptroller*, Rear-Adm. R. S. Robinson. — *Storekeeper-Gen.*, Hon. R. Dundas. — *Comptroller of Victualing*, Chas. Richards. — *Director-Gen. of Medical Department*, Sir J. Liddell.

#### PAYMASTER-GENERAL.

*Paymaster-Gen.*, Right Hon. W. Hutt.  
*Assistant Ditto*, H. M. Foster.

#### BOARD OF TRADE.

*President*, Right Hon. T. Milner Gibson.  
*Vice-President*, Right Hon. Wm. Hutt.  
*Secretaries*, J. Booth and Sir J. E. Tennent.  
*Statist. Dep.—Director*, A. W. Fonblanque.  
*Comptroller of Corn Returns*, H. F. Jadis.  
*Marine Dep.*, T. H. Farrer.  
*Science and Art Dep.*, Henry Cole.  
*Meteorological Dep.*, Rear-Adm. R. Fitz Roy.  
*Railway Dep.—Inspectors*, Capt. Tyler, Col. Yolland, and Capt. F. H. Rich.  
*Designs Office—Registrar*, C. Johnson.  
*Joint Stock Reg. Office—Reg.*, G. Taylor.  
*Gen. Reg. of Seamen—Reg.*, J. H. Brown.

#### DUCHY OF LANCASTER.

*Chancellor*, Earl of Clarendon.  
*Vice-Chancellor*, W. M. James.  
*Attorney-Gen.*, H. W. West.

#### OFFICE OF WORKS AND PUBLIC BUILDINGS.

*Commissioners*, Right Hon. W. F. Cowper, the Secretaries of State, the President and Vice-President of the Board of Trade.  
*Private Sec.*, Alfred Bonham Carter. — *Sec.*, Alfred Austin. — *Assist.-Sec.*, G. Russell. — *Solicitor*, John Gardiner. — *Architect and Surveyor*, Jas. Pennethorne. — *Surveyor of Works*, H. Arthur Hunt.

#### WOODS AND FORESTS.

*Commissioners*, Hon. C. A. Gore and Hon. J. K. Howard. — *Solicitor*, H. Watson.

#### THE MINT.

*Master*, Thomas Graham. — *Deputy and Comptroller*, W. H. Barton. — *Chief Medallist*, James Wyon.

#### BOARD OF CUSTOMS.

*Chairman*, Right Hon. Sir T. F. Fremantle, Bart. — *Dep.*, F. Goulburn, Hon. Grenville, C. Q. Berkeley, W. R. Greg, and R. W. Grey.  
*Sec.*, Francis G. Gardner. — *Solicitor*, F. J. Hamel.

## BOARD OF INLAND REVENUE.

*Chairman*, W. H. Stevenson.—*Deputy*, Chas. J. Herries, Alfred Montgomery, Henry Roberts, Sir Alexander Duff Gordon, James Disraeli.—*Joint Secs.*, T. Sargent, Wm. Corbett.—*Solicitor*, Jos. Timm.—*Receiver-Gen.*, J. Brotherton.

POST OFFICE.—*Postmaster-General*, Lord Stanley of Alderley.—*Private Sec.*, J. L. Du Plat Taylor.—*Sec.*, Sir Rowland Hill.—*Assistant-Secs.*, John Tilley and Fred. Hill.—*Sec. in Edinburgh*, F. Abbott.—*Sec. in Dublin*, G. C. Cornwall.

BOARD OF AUDIT.—*Chairman*, Edward Romilly.—*Sec.*, C. Z. Macaulay.

POOR LAW BOARD.—*Pres.*, Right Hon. C. P. Villiers, M.P.—Lord President of the Council, Lord Privy Seal, Secretary of State, for the Home Department, and the Chancellor of the Exchequer.—*Secs.*, Chas. Gilpin, M.P., H. Fleming.—*Assistant-Secs.*, W. G. Lumley, H. Fletcher.

## LOCAL GOVERNMENT ACT OFFICE.

*Sec. under the Home Department*, Tom Taylor.  
*Medical Inspector, under Privy Council*, J. Simon.

## SHERIFFS FOR ENGLAND AND WALES.

## ENGLAND.

(Excepting Cornwall and Lancashire.)

BEDFORDSHIRE—Robert Henry Lindsell, of Biggleswade, Esq.  
BERKSHIRE—Richard Hall Say, of Oakley-court, near Windsor, Esq.  
BUCKINGHAMSHIRE—The Hon. Percy Barrington, of Westbury Manor.  
CAMBRIDGESHIRE AND HUNTINGDONSHIRE—George Onslow Newton, of Croxton Park, Esq.  
CHESHIRE—John Ralph Shaw, of Arrowe Park, Birkenhead, Esq.  
CUMBERLAND—Thomas Brocklebank, of Greenlands, Esq.  
DERBYSHIRE—Sir Henry Des Vœux, of Drakelow, Bart.  
DEVONSHIRE—The Hon. Mark George Kerr Rolle, of Stevenstone.  
DORSETSHIRE—Charles Wriothlesley Digby, of Studland, Esq.  
DURHAM—John Harrison Aylmer, of Walworth Castle, Esq.  
ESSEX—Edgar Disney, of the Hyde, Ingatestone, Esq.  
GLOUCESTERSHIRE—Goodwin Charles Colquitt Craven, of Brockhampton Park, near Cheltenham, Esq.  
HEREFORDSHIRE—Colonel Robert Feilden, of Dulas Court.  
HERTFORDSHIRE—Sir Astley Paston Cooper, of Gadebridge, Hemel Hempstead, Bart.  
KENT—George Field, of Ashurst Park, near Tonbridge Wells, Esq.  
LEICESTERSHIRE—Edwyn Burnaby, of Baggrave Hall, Leicester, Esq.  
LINCOLNSHIRE—William Parker, of Hanthorpe House, Bowen, Esq.  
MONMOUTHSHIRE—Henry Charles Byrde, of Goytre House, Esq.  
NORFOLK—Henry James Lee Warner, of Little Walsingham, Esq.  
NORTHAMPTONSHIRE—Alfred Rush, of Farthinghoe, Esq.  
NORTHUMBERLAND—Henry Metcalfe Ames, of Linden, Esq.  
NOTTINGHAMSHIRE—John Chaworth Musters, of Annesley, Esq.  
OXFORDSHIRE—George Glen, of Stratton Audley Park, Esq.  
RUTLAND—Charles Ormiston Eaton, of Tixover, Esq.  
SHROPSHIRE—David Francis Atcherley, of Marton Hall, near Shrewsbury, Esq.  
SOMERSETSHIRE—Sir Edward Strachey, of Sutton Court, Bart.  
COUNTY OF SOUTHAMPTON—James Winter Scott, of Rotherfield Park, Alton, Esq.  
STAFFORDSHIRE—Thomas Thorneycroft, of Tottenhall Wood, Wolverhampton, Esq.  
SUFFOLK—Sir George Nathaniel Broke Middleton, of Nacton, Bart.  
SURREY—Thomas Price, of Heywood, Cobham, Esq.  
SUSSEX—William Leyland Woods, of Chilgrove, Chichester, Esq.  
WARWICKSHIRE—James Beech, of Brandon, Esq.  
WESTMORELAND—Matthew Thompson, of Kirkby Stephen, Esq.  
WILTSHIRE—John Lewis Phipps, of Leighton House, Westbury, Esq.  
WORCESTERSHIRE—Harman Grisewood, of Daylesford House, Esq.  
YORKSHIRE—Frederick Charles Trench Gascoigne, of Parlington Park, Aberford, South Milford, Esq.

## WALES (North and South).

- ANGLESEA—William Massey, of Cornelyn, Esq.  
 BRECONSHIRE—Sir Joseph Russell Bailey, of Glanusk Park, Bart.  
 CARDIGANSHIRE—John George Parry Hughes, of Alltlywd, Esq.  
 CARMARTHENSHIRE—Henry Lavallin Puxley, of Llwyndrussy, Esq.  
 CARNARVONSHIRE—Griffith Humphreys Owen, of Ymwlch, Esq.  
 DENBIGHSHIRE—Boscawen Trevor Griffith, of Trevelyan Hall, Wrexham, Esq.  
 FLINTSHIRE—William Barber Buddicom, of Penbedw Hall, Esq.  
 GLAMORGANSHIRE—Robert Francis Lascelles Jenner, of Wenvoe Castle, Esq.  
 MERIONETHSHIRE—Lewis Williams, of Vronwnion, Esq.  
 MONTGOMERYSHIRE—Major-General William George Gold, of Garthmyl Hall, Esq.  
 PEMBROKESHIRE—Thomas Harcourt Powell, of Hook, Esq.  
 RADNORSHIRE—George Augustus Haig, of Llanarnfynid, Esq.  
 CORNWALL—Day Perry Le Grice, of Trereife, Penzance, Esq.  
 LANCASHIRE—Sir James Phillips Kay Shuttleworth, of Gawthorpe Hall, Bart.

## UNIVERSITY HONOURS.

## OXFORD.—CLASS LISTS.

Term. Pasch. 1864.

*In Literis Humanioribus.*

## CLASSIS I.

Chatfield, Kyrle M., Corpus.  
 Clive, Archer A., Balliol.<sup>1</sup>  
 Hincks, Thomas, Balliol.  
 Ilbert, Courtenay P., Balliol.  
 Luxmoore, Henry E., Pembroke.  
 Purves, John, Balliol.  
 Robinson, Alfred, University.  
 Williams, Robert, Ch. Ch.

## CLASSIS II.

Carr, Charles R., Wadham.  
 Christian, George, Balliol.  
 Cobbett, Richard S., Pembroke.  
 Cornish, Charles E., Exeter.  
 Donaldson, Augustus B., Oriel.  
 Mouldsdale, Robert O., Jesus.  
 Sladen, Edward, Balliol.

## CLASSIS III.

Deane, William E., Magd. Hall.  
 Edwards, Bickerton A., Jesus.  
 Thomas, Thomas L., Jesus.  
 Walker, James D., University.  
 Wells, John, Wadham.

## CLASSIS IV.

Beale, Daniel C., Exeter.  
 Dangar, James G., St. John's.  
 Hubbard, Egerton, Ch. Ch.  
 Rose, Hugh J., Oriel.  
 Warman, John S., Balliol.

One hundred and thirty-two  
 others passed.

*In Scientiis Math. et Phys.*

## CLASSIS I.

Balmer, Edward L., Magd. Hall.  
 Gamble, John G., Magdalen.

## CLASSIS II.

Harding, John, Brasenose.  
 Jenkins, Edward, Jesus.  
 Poyntz, Newdigate, Pembroke.

## CLASSIS III.

## CLASSIS IV.

Bardsley, George W., Worcester.  
 Dangar, James G., St. John's.

Sixty-five others passed.

<sup>1</sup> Fellow of Lincoln.



*Examiners.*

J. M. Wilson.  
J. R. T. Eaton.  
A. Watson.  
L. Campbell.

*In Scientia Naturali.*

## CLASSIS I.

Pode, Charles C., Exeter.

## CLASSIS II.

## CLASSIS III.

## CLASSIS IV.

Dodd, Frederick S., Trinity.

—  
Six others passed.

*Examiners.*

J. A. Dale.  
G. Griffith.  
W. S. Church.

*Examiners.*

W. F. Donkin.  
T. H. R. Shand.  
R. Faussett.

*In Jurisprudentia et Hist. Mod.*

## CLASSIS I.

## CLASSIS II.

Bourke, Cecil F. J., Corpus.  
Greene, Thomas W., Magdalen.  
Kenyon, Hon. George T., Ch. Ch.  
Moore, Henry H., Worcester.  
Russell, James C., Magdalen.

## CLASSIS III.

Livingstone, Arthur G., Queen's.  
Pickering, Percy G. U., Merton.  
Shrewsbury, Charles P., St. John's.

## CLASSIS IV.

Beachcroft, Francis P., Exeter.  
Hamilton, Henry B., Ch. Ch.  
Wykeham, Philip J. D., Exeter.  
Cork, Edward C., Ch. Ch.

—  
Thirty-nine others passed.

*Examiners.*

E. A. Freeman.  
S. J. Owen.  
K. E. Digby.

—  
Term. Mich. 1864.

*In Literis Humanioribus.*

## CLASSIS I.

Crowfoot, John H., Trinity.  
Emberson, Frederick C., Wadham.  
Gilliat, Edward, Pembroke.  
Milroy, Andrew W., Queen's.  
Owen, James A., Ch. Ch.  
Papillon, Thomas L., Balliol.  
Platt, Hugh E. P., Trinity.  
Salwey, Herbert, Ch. Ch.  
Simcox, William H., Balliol<sup>2</sup>.  
Skeffington, Sydney W., Brasenose.

## CLASSIS II.

Aitken, Wm. H. M. H., Wadham.  
Argles, George M., Balliol.  
Baker, William, St. John's.  
Candy, George, Wadham.  
Chenevix, Henry, Worcester.  
Cruso, Henry E. T., Worcester.  
Daniel, Wilson E., Worcester.  
Graham, Henry J. L., Balliol.  
Harrison, William, A. D., Corpus.  
Huckin, Henry R., St. John's.

*In Scientiis Math. et Phys.*

## CLASSIS I.

Corfield, William H., Magdalen.  
McNeile, Hector, Ch. Ch.  
Robinson, Alfred, University.

## CLASSIS II.

Barber, Edward, Magdalen.  
Deane, William E., Magd. Hall.  
Fry, William T., Exeter.  
Huckin, Henry R., St. John's.

<sup>2</sup> Fellow of Queen's.

Hull, Charles W., Queen's.  
 Huyshe, Francis J., Brasenose.  
 Jackson, Henry, Pembroke.  
 Kingsford, Walter B., Oriel.  
 Maitland, John, University.  
 Nowers, James E. L., Wadham.  
 Salt, Thomas F., Oriel.  
 Thresher, James H., New Coll.  
 Wilkinson, Edward, Exeter.

## CLASSIS III.

Alexander, George C., Oriel.  
 Barber, Henry W., Queen's.  
 Carey, Charles E., Exeter.  
 Gill, Jeremiah, Magd. Hall.  
 Gurney, Frederick, Balliol.  
 Idle, Joseph H., Lincoln.  
 Jebb, Arthur T., Balliol.  
 Kynnersley, Edmund M. S., Ball.  
 Langford, John F., Balliol.  
 Madan, James R., Queen's.  
 Matthews, William S., Brasenose.  
 Ormsby, Henry M., Queen's.  
 Smith, Charles W., Trinity.  
 Walker, Francis A., Ch. Ch.  
 Wyatt, William, Balliol.

## CLASSIS IV.

Dundas, George S., Exeter.  
 James, Montague, Exeter.  
 Parker, Frederick P., Oriel.  
 Price, William J., Jesus.  
 Samson, Louis, Ch. Ch.  
 Wrench, Robert G. K., Pembroke.

Seventy-four others passed.

*Examiners.*

C. P. Chretien.  
 J. R. T. Eaton.  
 A. Watson.  
 T. Fowler.

*In Scientia Naturali.*

## CLASSIS I.

Blunt, Thos. P., Magd. Hall.  
 Brown, Samuel S., Trinity.  
 Chapman, Edward, Merton.  
 Wilson, William L., Ch. Ch.

## CLASSIS II.

Hony, Charles W., Exeter.

## CLASSIS III.

Bulley, John F., Magdalen.  
 Morris, John, Jesus.  
 Toye, Arlingham J., Magdalen.

## CLASSIS IV.

## CLASSIS III.

## CLASSIS IV.

Burgess, Thomas, St. John's.  
 Cheston, Charles, Merton.  
 Matthews, William S., Brasenose.  
 Nowers, James E. L., Wadham.  
 Thorp, Edward, Magd. Hall.

Fifty-eight others passed.

*Examiners.*

B. Price.  
 H. J. S. Smith.  
 C. J. Faulkner.

*In Jurisprudentia et Hist. Mod.*

## CLASSIS I.

Glaister, William, University.  
 Hocking, Henry H., St. John's.  
 Huddleston, Thomas J., Ch. Ch.  
 Hunt, William, Trinity.  
 Pike, Frederick P., Pembroke.

## CLASSIS II.

Byles, Maurice B., University.  
 Chafy, William K. W., Ch. Ch.  
 Hughes, Augustus, Ch. Ch.  
 Linton, Sydney, Wadham.

## CLASSIS III.

May, Henry W., Ch. Ch.  
 Peckham, Henry J., Balliol.

## CLASSIS IV.

Goddard, William W., Exeter.  
 Grigg, Henry B., Queen's.

Three others passed.

*Examiners.*

J. A. Dale.  
G. Griffith.  
W. S. Church.

Landale, David L., Brasenose.  
Powell, James B., Exeter.  
Richardson, Fredk. H., St. John's.

Thirty-one others passed.

*Examiners.*

E. A. Freeman.  
S. J. Owen.  
K. E. Digby.

MODERATIONS.

Term. Pasch. 1864.

*In Litt. Gr. et Lat.*

I.

Abbott, Evelyn, Balliol.  
Babington, John A., New College.  
Baillie, Alexander W. M., Balliol.  
Barratt, Alfred, Balliol.  
Bond, Edward, St. John's.  
Butterworth, Charles H., Trinity.  
Creighton, Mandell, Merton.  
Davidson, James L. S., Balliol.  
Evans, John A., University.  
Fitzgerald, Gerald A. R., Corpus.  
Jeaffreson, Charles H., Lincoln.  
Kemp, John, Lincoln.  
Le Marchant, Francis C., Balliol.  
Murray, George S. D., Wadham.  
Reid, George B., Corpus.  
Ridley, Edward, Corpus.  
Robinson, Richard, Worcester.  
Robinson, William G., Oriel.  
Spooner, William A., New College.  
Spurling, Frederick W., Wadham.  
Varley, John, Oriel.  
Williams, Robert E., Jesus.

II.

Bailward, Thomas H. M., Balliol.  
Benett, William C., Ch. Ch.  
Boyle, William S., Magdalen.  
Butter, James, Balliol.  
Cockerell, Samuel P., Ch. Ch.  
Cockin, Charles E., Wadham.  
Gladstone, Stephen E., Ch. Ch.  
Gordon, Richard G., Exeter.  
Hall, James R., Merton.  
Hatch, Walter M., New College.  
Jenkyns, John, Balliol.  
Jones, John, Jesus.  
Kemble, Arthur, New College.  
Millington, William, Brasenose.  
Molyneux, Henry W. M., Corpus.  
Mylne, Louis G., Corpus.  
Owen, Harry, Corpus.  
Penny, Edward W., St. John's.  
Sanders, Thomas C., Magd. Hall.  
Sankey, Charles, Queen's.  
Sparks, Edward I., Corpus.

*In Disc. Math.*

I.

Archibald, Richard G., Ch. Ch.<sup>3</sup>.  
Barratt, Alfred, Balliol.  
Bowyer, Alfred W., University.  
Hughes, Henry, Ch. Ch.  
Rumsey, Robert F., Brasenose.

II.

Bellairs, Frederick J. W., Magd.  
Ferrier, Henry J., Merton.  
Luttman-Johnson, Henry, Ch. Ch.  
Pughe, Kenneth M., Brasenose.  
Raikes, Robert T., Merton.

<sup>3</sup> Fereday Fellow of St. John's.



Thompson, William, Queen's.  
 Voules, Sterling C., Lincoln.  
 Wigram, Lewis, New College.  
 Willert, Paul F., Corpus.  
 Willis, Edward F., Balliol.  
 Wilson, Benjamin, Exeter.  
 Worsley, Edward, Magdalen.

## III.

Barthropp, Nathaniel S., Jesus.  
 Battishall, William J., Exeter.  
 Beal, Samuel G., Exeter.  
 Davies, Arthur M., Jesus.  
 Davis, Guillebaud F. L., Worc.  
 Kitson, Robert, Balliol.  
 Morgan, David, Magd. Hall.  
 Osborne, William A., Brasenose.  
 Potter, Charles A., Merton.  
 Russell, Herbert D., Wadham.  
 Selfe, Edward H., Ch. Ch.  
 Travis, James, Exeter.  
 Trye, Reginald E., University.  
 Watling, Henry F., Lincoln.

## III.

Engström, Charles R. L., Pemb.

*Moderators.*

LITT. GR. ET. LAT.	DISC. MATH.
G. Marshall.	H. J. S. Smith.
E. C. Wickham.	E. Moore.
W. W. Merry.	W. Esson.
C. H. Daniel.	

Term. Mich. 1864.

*In Litt. Gr. et Lat.*

## I.

Acworth, Carr Glyn, Ch. Ch.  
 Alcock, George, Brasenose.  
 Avery, James, Exeter.  
 Cameron, Charles, J. L. L., Merton.  
 De Paravicini, Francis, Balliol.  
 Forster, Michael S., New College.  
 Girdlestone, F. K. W., Magdalen.  
 Hodgson, Robert, Oriel.  
 Hopkins, Gerard M., Balliol.  
 Hughes, William H., Jesus.  
 Matthews, John H. D., Univ.  
 Myers, Ernest J., Balliol.  
 Roberts, Charles E., Exeter.  
 Worthy, Edward A., New College.

## II.

Anstey, Arthur C. C., University.  
 Atkinson, Miles, Queen's.  
 Brooke, Samuel R., Corpus.  
 Brown, William A., Balliol.  
 Burra, Thomas F., University.  
 Carles, Charles W., Lincoln.  
 Caulfeild, Francis W., Wadham.  
 Cresswell, Oswald E., Trinity.  
 Deedes, Cecil, Brasenose.  
 Dupuis, Edward J. G., Exeter.  
 Geldart, Edmund M., Balliol.  
 Gepp, Charles G., Ch. Ch.  
 Glover, Frederick, Exeter.  
 Griffith, John R., Oriel.  
 Hutchins, Peter B., Exeter.  
 Lloyd, Daniel L., Jesus.

*In Disc. Math.*

## I.

Powell, Edward, Magdalen.

## II.

Kaye, Arthur, Magdalen.  
 Robertson-Honey, C., Magd. Hall.  
 Tootell, Henry, University.

Nolan, Thomas, St. John's.  
 Nurse, Henry D., Trinity.  
 Price, Thomas P., University.  
 Richardson, Arthur J., Magdalen.  
 Whitaker, Walter E., Brasenose.

## III.

Amcotts, Vincent, A. C., Balliol.  
 Andrews, William G., Trinity.  
 Bartholomew, Wm. H., Queen's.  
 Bulteel, Courtenay J., Magdalen.  
 Byrde, Richard A., Queen's.  
 Davis, Richard H., University.  
 Entwistle, Arthur, Balliol.  
 Eyre, George B., Ch. Ch.  
 Garnett, Lionel, Brasenose.  
 Green, William C., Wadham.  
 Hardy, Alfred E., Balliol.  
 Ingram, James C., Corpus.  
 Lawrence, Thomas N., Trinity.  
 Maddison, Arthur R., Merton.  
 Milne, Robert D. G., Lincoln.  
 Morris, Charles, Corpus.  
 Nicholl, Thomas B., Jesus.  
 Pound, Robert W., Brasenose.  
 Rose, William F., Worcester.  
 Secker, Augustus W., Balliol.  
 Small, William J., Exeter.  
 Stephens, Henry J., Brasenose.

## III.

*Moderators.*

LITT. GR. ET. LAT.	DISC. MATH.
G. Marshall.	F. Ashpitel.
E. C. Wickham.	E. Moore.
W. W. Merry.	W. Esson.
C. H. Daniel.	

## CAMBRIDGE.—HONOUR TRIPOSES.

## MATHEMATICAL.

\*\*\* *In all cases of equality, the names are bracketed.*

## WRANGLERS.

Ds Purkiss, Trinity.	24 Davies, C. B. Trinity.
2 Turnbull, Trinity.	25 Smallpiece, St. John's.
3 Pearce, Caius.	{ Groves, Sidney.
4 Cockshott, Trinity.	{ Metcalfe, St. Catharine's.
5 Stuckey, St. John's.	{ Oldham, Christ's.
{ Cay, Caius.	{ Williams, Sidney.
{ Lewin, Caius.	{ Alexander, Trinity Hall.
8 Crabtree, Trinity.	{ Carver, St. Peter's.
9 King, Jesus.	{ Giles, Magdalen.
{ Gillespie, Trinity.	33 McKenzie, St. Peter's.
{ Turner, Trinity.	{ Jenkins, M., Christ's.
12 Parish, Trinity.	{ Whitworth, Pembroke.
13 Ewbank, St. John's.	36 Winbolt, Trinity.
14 Horne, Trinity.	37 Macartney, Clare.
15 Phillips, St. Catharine's.	38 Baron, St. John's.
16 Mozley, King's.	39 Colvin, Trinity.
{ Cox, Corpus.	{ Bentley, Trinity.
{ Style, Queen's.	{ Davies, J. N. C.
19 Maclaren, Trinity.	{ Workman, Trinity.
20 Martin, Trinity.	43 Usherwood, Queen's.
21 Nixon, St. Peter's.	
{ Gaselee, King's.	
{ Jardine, Christ's.	

## SENIOR OPTIMES.

Ds	Kitson, Christ's.	62	Wright, Corpus.
45	Carter, King's.		{ O'Malley, Trinity.
	{ Clare, St. John's.		{ Waters, Sidney.
	{ Newton, St. John's.	65	Archbold, St. John's.
	{ Protheroe, Corpus.	66	Tennant, Trinity.
49	Schofield, Clare.	67	Hill, Corpus.
50	Pater, Trinity.	68	Adams, Sidney.
51	Baker, Trinity.		{ Bolden, Trinity.
	{ Hawkshaw, Trinity.		{ Holland, Trinity.
	{ Lee, Emmanuel.		{ Robinson, St. John's.
	{ Creeser, St. John's.		{ Carpenter, St. Cath.
	{ Vardy, Trinity.		{ Pharazyn, St. John's.
	{ Wood, Emmanuel.		{ Fearn, Corpus.
57	Stobart, St. John's.		{ Pike, Caius.
	{ Lamb, Emmanuel.		{ Potts, Emmanuel.
	{ Nash, Trinity.	77	Hope, Sidney.
	{ Danby, Downing.	78	Hill, St. John's.
	{ Horne, St. John's.		

## JUNIOR OPTIMES.

Ds	Watson, Trinity.	92	Ware, Caius.
80	Buttress, Pembroke.	93	Ward, Emmanuel.
81	Hoare, E. B., Trinity.		{ Cutting, St. John's.
82	Tomlinson, Trinity.		{ Fleming, Christ's.
	{ Johnson, Queen's.		{ Talbot, Trinity.
	{ Pritt, Trinity.		{ Allen, J. H., Trinity.
85	French, Emmanuel.		{ Campbell, D., Trinity.
	{ Lascelles, Clare.	99	Peers, St. Catharine's.
	{ Vine, Magdalene.		{ Chapman, E. W., Trinity.
88	Annamd, Trinity.		{ Morris, Trinity.
89	Shickle, Corpus.		{ Fulford, Emmanuel.
90	Paget, Trinity.		{ Tomkins, St. John's.
91	Croft, Trinity.	104	Kennedy, J. M., Trinity.

## CLASSICAL.

## FIRST CLASS.

	Moss, St. John's.		{ Lee Warner, St. John's.
	{ Moule, Trinity.		{ Young, King's.
	{ Myers, Trinity.		{ Bryan, Clare.
	{ James, King's.		{ Davies, C. B., Trinity.
	{ Marindin, King's.		{ Dunn, St. Peter's.
	{ Swainson, Trinity.		{ Ainger, Trinity.
	{ Mozley, King's.		{ Hollingworth, King's.
	{ Pretor, Trinity.		{ Preston, Magdalene.
	Spratt, St. Catharine's.		{ Vardy, Trinity.
	Stow, Trinity.		Cruikshank, Trinity.

## SECOND CLASS.

	{ Davies, J. N. C., Trinity.		Bosanquet, Trinity.
	{ Rhoades, Trinity.		{ Pater, Trinity.
	{ Terry, St. John's.		{ Raven, Jesus.
	{ Greathead, Trinity.		{ Beechy, Caius.
	{ Wallace, Emmanuel.		{ Oakeley, Trinity.
	Gooch, Clare.		{ Hudson, Trinity.
	Lewis, Caius.		{ Orr, Jesus.
	Champneys, Trinity.		{ Beard, Jesus.
	Gillespie, Trinity.		{ Beilby, Corpus.
	Croft, Caius.		{ Buswell, Queen's.
	{ Holmes, Trinity.		{ Penny, Trinity.
	{ Pearse, Trinity.		Payne, Downing.
	{ Kitson, Christ's.		Turnbull, Trinity.
	{ Millington, Clare.		Lyttelton, Hon. C., Trinity.



## THIRD CLASS.

Coore, Trinity.  
 Reece, St. John's.  
 Carter, King's.  
 Quale, St. John's.  
 Draper, Magdalene.  
 Whittington, Clare.  
 Rogan, Trinity Hall.

{ Croft, H., Trinity.  
 Rowsell, Trinity.  
 Clay, St. John's.  
 Hervey, Lord. J. W. N., Trin.  
 Fox, Trinity.  
 Jardine, Christ's.

## LAW.

## FIRST CLASS.

Willis-Bund, Caius.  
 Swan, Trinity Hall.  
 Lyttelton, Hon. C. G., Trin.

Martin, Trinity.  
 Armitage, Trinity.  
 Patrick, Trinity Hall.  
 Leith, Trinity Hall.

## SECOND CLASS.

{ Glenn, Magdalene.  
 Laing, Trinity.

## THIRD CLASS.

Litchfield, Emmanuel.  
 Lingen, Pembroke.  
 Macleod, Trinity.

## MORAL SCIENCES.

## FIRST CLASS.

Jardine, Christ's.  
 Myers, Trinity.  
 Macartney, Clare.  
 Payne, Downing.  
 Gibson, Trinity.

## SECOND CLASS.

Woods, Emmanuel.  
 Greene, Trinity.  
 Whalley, St. John's.

## THIRD CLASS.

## NATURAL SCIENCES.

## FIRST CLASS.

Danby, Downing.  
 Bradbury, Downing.  
 Rankin, Trinity.  
 { Cooper, Caius.  
 Strutt, Hon. A., Trinity.

Hodgson, Trinity.  
 Darroch, Trinity.  
 Callis, St. Catharine's.  
 Barclay, Trinity.

## THIRD CLASS.

## SECOND CLASS.

Layton, Queen's.

Chambers, Trinity.  
 Wilson, Caius.  
 Jones, Queen's.  
 Berens, Trinity Hall.

## THEOLOGY.

*The Names in each Class are arranged alphabetically.*

## MIDDLE BACHELORS.

## FIRST CLASS.

†Dalton, Clare.  
 \*Leeke, Trinity.  
 †McNeile, Trinity.  
 \*Oakley, Trinity.  
 \*Walker, Trinity Hall.

## SECOND CLASS.

## THIRD CLASS.

Bonser, Trinity.

## COMMENCING BACHELORS.

## FIRST CLASS.

## SECOND CLASS.

\*Barrett-Lennard, Magd.  
 Bramston, St. Peter's.  
 Callender, Caius.

## THIRD CLASS.

Brownrigg, Magdalene.  
 Hutton, Trinity.

\* Distinguished in Hebrew.

† Equal for Scholefield Prize for Biblical Greek.

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